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By: **Delegates Conway, Amedori, Bartlett, Bohanan, Bozman, Busch, Cadden, Cane, G. Clagett, Donoghue, Edwards, Elliott, Elmore, Glassman, Heller, Hennessy, Hogan, James, Jameson, Kelly, Krebs, Malone, McKee, Minnick, Mitchell, Myers, O'Donnell, Owings, Parrott, Rudolph, Schisler, Shank, Smigiel, Sophocleus, Sossi, Stocksdale, Stull, Walkup, Weldon, and Wood**

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 27, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Consolidation of Rural Development Programs**

3 FOR the purpose of renaming the Forvm for Rural Maryland to be the Rural  
4 Maryland Council; providing for the purpose of the Council; expanding the  
5 Council's membership; requiring the Council to elect one or more Vice  
6 Chairmen; altering and expanding the Council's Executive Board membership  
7 and clarifying its duties; authorizing the Council's Chairman to establish certain  
8 working committees; requiring the Council's Executive Director to serve at the  
9 pleasure of the Executive Board; placing the Council, for administrative and  
10 budgetary reasons, under the Maryland Department of Agriculture and  
11 requiring the Department to provide certain funding, staff, and resources for the  
12 Council; requiring the Secretary of Agriculture to include the Council's budget  
13 request that is provided to the Department of Budget and Management with the  
14 budget request of the Maryland Department of Agriculture; providing for the  
15 location of the Council's principal office; transferring from the Board of Public  
16 Works to the Council the administration of the Maryland Agricultural Education  
17 and Rural Development Assistance Fund; transferring from the Department of  
18 Business and Economic Development to the Council the administration of  
19 awarding certain grants; expanding the membership of the Maryland  
20 Agricultural Education and Rural Development Assistance Board and requiring  
21 it to make certain binding recommendations to the Council; authorizing certain  
22 agencies to assist the Council with administering certain grants; altering

1 certain reporting requirements for certain grant recipients and the Council;  
2 declaring the intent of the General Assembly; repealing the termination  
3 provision for the Maryland Agricultural Education and Rural Development  
4 Assistance Fund; providing for the transition under this Act; providing for the  
5 application of this Act; making the provisions of this Act severable; defining  
6 certain terms; and generally relating to the Forum for Rural Maryland and the  
7 Maryland Agricultural Education and Rural Development Assistance Fund Act  
8 of 2000.

9 BY adding to  
10 Article 41 - Governor - Executive and Administrative Departments  
11 Section 15-101  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 2002 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article 41 - Governor - Executive and Administrative Departments  
16 Section 15-101 through 15-110, inclusive, to be under the amended title "Title  
17 15. Rural Maryland Council"  
18 Annotated Code of Maryland  
19 (1997 Replacement Volume and 2002 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article - State Finance and Procurement  
22 Section 2-206 and 11-203(a)  
23 Annotated Code of Maryland  
24 (2001 Replacement Volume and 2002 Supplement)

25 BY repealing and reenacting, without amendments,  
26 Article - State Finance and Procurement  
27 Section 11-203(b)  
28 Annotated Code of Maryland  
29 (2001 Replacement Volume and 2002 Supplement)

30 BY repealing and reenacting, with amendments,  
31 Article - State Government  
32 Section 10-102(b)  
33 Annotated Code of Maryland  
34 (1999 Replacement Volume and 2002 Supplement)

35 BY repealing and reenacting, with amendments,  
36 Chapter 552 of the Acts of the General Assembly of 2000  
37 Section 4 and 5

38 BY repealing and reenacting, with amendments,

1 Chapter 534 of the Acts of the General Assembly of 2002  
2 Section 2

3 Preamble

4 WHEREAS, Many rural communities in Maryland are currently facing difficult  
5 challenges relating to changing economic condition, an aging population, an  
6 inadequate access to quality health care and other services, and a deteriorating or  
7 inadequate physical infrastructure; and

8 WHEREAS, Local governments, educational institutions, and private service  
9 providers in rural areas are increasingly unable to meet all the economic  
10 development, community development, and human services needs of approximately  
11 1.4 million citizens residing in the rural counties and municipalities; and

12 WHEREAS, Agricultural and other resource-based enterprises continue to  
13 underpin the local economies of rural communities, but are increasingly under threat  
14 from national and international competition, land development pressure, and  
15 regulatory influences; and

16 WHEREAS, The United States Congress passed The Farm Security and Rural  
17 Investment Act of 2002 which potentially provides Marylanders with opportunities to  
18 seek assistance on a variety of rural concerns including agricultural and forest land  
19 preservation, soil and water conservation, agribusiness development, small  
20 community water and wastewater infrastructure, safe and affordable housing,  
21 broadband telecommunications access, and other community facilities; and

22 WHEREAS, The State's existing rural capacity development programs could be  
23 combined to provide for more efficient programmatic and policy development  
24 coordination, take better advantage of new opportunities, and enhance the  
25 capabilities of Maryland's rural communities to deal with the difficult challenges they  
26 face; now, therefore,

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
28 MARYLAND, That the Laws of Maryland read as follows:

29 **Article 41 - Governor - Executive and Administrative Departments**

30 Title 15. [Forvm for] Rural Maryland COUNCIL.

31 15-101.

32 IN THIS TITLE, "COUNCIL" MEANS THE RURAL MARYLAND COUNCIL.

33 [15-101.] 15-101.1.

34 There is a [Forvm for] Rural Maryland COUNCIL.

1 15-102.

2 (A) The [Forvm is a rural development council] COUNCIL IS DESIGNATED AS  
3 A STATE RURAL DEVELOPMENT COUNCIL THAT BRINGS TOGETHER CITIZENS AND  
4 REPRESENTATIVES OF PUBLIC SECTOR ENTITIES AND PRIVATE SECTOR  
5 ORGANIZATIONS TO COLLABORATIVELY ADDRESS PROBLEMS AND CHALLENGES  
6 FACING RURAL COMMUNITIES IN MARYLAND.

7 (B) The [Forvm] COUNCIL may undertake any activity that addresses issues  
8 and concerns of the citizens of rural Maryland as long as the activity is not  
9 inconsistent with the [Memorandum of Understanding signed by the Governor and  
10 the Secretary of the United States Department of Agriculture concerning the  
11 operation of the Forvm] PROVISIONS OF THE FARM SECURITY AND RURAL  
12 INVESTMENT ACT OF 2002 (P.L. 107-171, SECTION 6021) REGARDING THE NATIONAL  
13 RURAL DEVELOPMENT PARTNERSHIP AND STATE RURAL DEVELOPMENT COUNCILS.  
14 15-103.

15 (a) The membership of the [Forvm] COUNCIL is open to any citizen of  
16 Maryland who [subscribes to the goals of the Forvm and who] has an interest in  
17 IMPROVING THE QUALITY OF LIFE IN rural Maryland.

18 (b) The [Forvm] COUNCIL shall include:

19 (1) The Governor or the Governor's designee;

20 (2) As nonvoting members, three members of the Maryland State  
21 Senate, appointed by the President of the Senate, one each from the three rural  
22 regions of the State;

23 (3) As nonvoting members, three members of the Maryland House of  
24 Delegates, appointed by the Speaker of the House of Delegates, one each from the  
25 three rural regions of the State;

26 (4) AS A NONVOTING MEMBER, ONE MEMBER OF THE MARYLAND STATE  
27 SENATE OR MARYLAND HOUSE OF DELEGATES REPRESENTING HARFORD COUNTY  
28 SELECTED JOINTLY BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE  
29 HOUSE OF DELEGATES;

30 [(4)] (5) As determined under the bylaws of the [Forvm] COUNCIL:

31 (i) Representatives from LOCAL, STATE, AND federal agencies that  
32 serve rural interests; and

33 (ii) Representatives from private sector organizations, including  
34 rural-based for-profit and nonprofit organizations and rural client groups; and

35 [(5)] (6) Any other individual who elects to join the [Forvm] COUNCIL  
36 and who qualifies under subsection (a) of this section.

1 15-104.

2 (a) From among its members, the [Forvm] COUNCIL annually shall elect a  
3 Chairman AND ONE OR MORE VICE CHAIRMEN.

4 (b) The [Forvm] COUNCIL shall adopt bylaws to regulate its affairs and the  
5 orderly conduct of its business.

6 (c) (1) The [Forvm] COUNCIL shall establish an Executive Board.

7 (2) The Executive Board shall include:

8 (i) The Chairman of the [Forvm] COUNCIL, who shall serve as  
9 Chairman of the Executive Board;

10 (ii) The Governor or the Governor's designee;

11 (III) THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S  
12 DESIGNEE;

13 (IV) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT  
14 OR THE SECRETARY'S DESIGNEE;

15 (V) THE SECRETARY OF HOUSING AND COMMUNITY  
16 DEVELOPMENT OR THE SECRETARY'S DESIGNEE;

17 (VI) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE  
18 SECRETARY'S DESIGNEE;

19 (VII) THE SECRETARY OF NATURAL RESOURCES OR THE  
20 SECRETARY'S DESIGNEE;

21 (VIII) THE DIRECTOR OF MARYLAND COOPERATIVE EXTENSION OR  
22 THE DIRECTOR'S DESIGNEE;

23 [(iii)] (IX) Two representatives of the Maryland Municipal League,  
24 selected from rural regions of the State;

25 [(iv)] (X) Two representatives of the Maryland Association of  
26 Counties, selected from rural regions of the State;

27 [(v)] (XI) One OR MORE [representative] REPRESENTATIVES of [a]  
28 federal [agency] AGENCIES, SELECTED IN ACCORDANCE WITH THE BYLAWS OF THE  
29 COUNCIL;

30 [(vi)] (XII) One representative of the Delmarva Advisory Council;

31 [(vii)] (XIII) One representative of [the Tri-County Council for  
32 Southern Maryland] EACH OF THE RURAL REGIONAL PLANNING AND DEVELOPMENT  
33 COUNCILS IN MARYLAND;

1 [(viii)] (XIV) One representative of [the Tri-County Council for  
2 Western Maryland] EACH OF THE RESOURCE, CONSERVATION, AND DEVELOPMENT  
3 COUNCILS IN MARYLAND;

4 (XV) ONE REPRESENTATIVE SELECTED, IN ACCORDANCE WITH THE  
5 BYLAWS OF THE COUNCIL, FROM GARRETT, ALLEGANY, AND WASHINGTON  
6 COUNTIES;

7 [(ix)] (XVI) One representative selected, in accordance with the  
8 bylaws of the [Forvm] COUNCIL, from Carroll County or Frederick County;

9 (XVII) ONE REPRESENTATIVE SELECTED, IN ACCORDANCE WITH THE  
10 BYLAWS OF THE COUNCIL, FROM CALVERT, CHARLES, OR ST. MARY'S COUNTIES;

11 [(x)] (XVIII) One representative selected, in accordance with the  
12 bylaws of the [Forvm] COUNCIL, from Cecil or Harford County;

13 (XIX) ONE REPRESENTATIVE SELECTED, IN ACCORDANCE WITH THE  
14 BYLAWS OF THE COUNCIL, FROM DORCHESTER, SOMERSET, WICOMICO, OR  
15 WORCESTER COUNTIES;

16 [(xi)] (XX) One representative of the private FOR-PROFIT sector,  
17 selected [by those individuals representing for-profit organizations on the Forvm] IN  
18 ACCORDANCE WITH THE BYLAWS OF THE COUNCIL;

19 [(xii)] (XXI) One representative of the nonprofit sector, selected [by  
20 those individuals representing nonprofit organizations on the Forvm] IN  
21 ACCORDANCE WITH THE BYLAWS OF THE COUNCIL;

22 [(xiii)] (XXII) As [a] nonvoting [member] MEMBERS, [one senator  
23 or] THE SENATOR AND delegate appointed to the [Forvm] COUNCIL under §  
24 15-103(b)(2) [or] AND (3) of this title from the Eastern Shore region of the State;

25 [(xiv)] (XXIII) As [a] nonvoting [member] MEMBERS, [one senator  
26 or] THE SENATOR AND delegate appointed to the [Forvm] COUNCIL under §  
27 15-103(b)(2) [or] AND (3) of this title from the Southern Maryland region of the  
28 State;

29 [(xv)] (XXIV) As [a] nonvoting [member] MEMBERS, [one senator  
30 or] THE SENATOR AND delegate appointed to the [Forvm] COUNCIL under §  
31 15-103(b)(2) [or] AND (3) of this title from the Western Maryland region of the State;  
32 [and]

33 (XXV) AS A NONVOTING MEMBER, ONE SENATOR OR DELEGATE  
34 APPOINTED TO THE COUNCIL UNDER § 15-103(B)(4) OF THIS TITLE FROM HARFORD  
35 COUNTY;

36 [(xvi)] (XXVI) [Eight] TWO at-large members, selected by the  
37 membership of the [Forvm] COUNCIL; AND

1 (XXVII) NO MORE THAN SIX MEMBERS REPRESENTING STATEWIDE  
2 NONPROFIT ORGANIZATIONS WITH A RURAL FOCUS, SELECTED IN ACCORDANCE  
3 WITH THE BYLAWS OF THE COUNCIL.

4 (3) Members of the Executive Board shall be selected and serve in  
5 accordance with the bylaws of the [Forvm] COUNCIL.

6 (d) The [Forvm] COUNCIL may expand the membership of the Executive  
7 Board through the bylaws of the [Forvm] COUNCIL.

8 15-105.

9 (a) The Executive Board shall make recommendations on [policy]  
10 PROGRAMMATIC OR REGULATORY matters [to the Forvm and on implementation of  
11 policies that the Forvm adopts] OF CONCERN TO RURAL COMMUNITIES AFTER A  
12 CONSENSUS OF OPINION HAS EMERGED.

13 (b) With the consent of the Executive Board, the Chairman may establish  
14 subcommittees OR WORKING COMMITTEES consisting of members of the [Forvm]  
15 COUNCIL AND INTERESTED PARTIES to address or study specific issues.

16 15-106.

17 (a) The [Forvm] COUNCIL shall hire an Executive Director.

18 (b) The Executive Director shall:

19 (1) Be responsible for the day-to-day operations of the [Forvm]  
20 COUNCIL; and

21 (2) Assist in the development of policy recommendations for  
22 consideration by the [Forvm] COUNCIL or by the Executive Board.

23 (c) The Executive Director serves at the pleasure of the [Forvm] EXECUTIVE  
24 BOARD.

25 15-107.

26 (a) The [Forvm] COUNCIL is an independent unit in the Executive Branch of  
27 State government [and may not be placed by the Governor in any principal  
28 department] THAT FOR ADMINISTRATIVE AND BUDGETARY PURPOSES SHALL BE  
29 PLACED UNDER THE MARYLAND DEPARTMENT OF AGRICULTURE.

30 (b) The [Forvm] COUNCIL is exempt from the provisions of:

31 (1) Division I of the State Personnel and Pensions Article;

32 (2) Division II of the State Finance and Procurement Article except as  
33 otherwise provided in § 11-203(b) of that article; and

34 (3) Title 10, Subtitle 1 of the State Government Article.

1 (c) (1) The [Forvm] COUNCIL shall receive annual funding through an  
2 appropriation [in the State] INCLUDED AS PART OF THE budget OF THE MARYLAND  
3 DEPARTMENT OF AGRICULTURE.

4 (2) The Secretary of [Business and Economic Development]  
5 AGRICULTURE shall include without revision the budget request of the [Forvm]  
6 COUNCIL THAT IS PROVIDED TO THE DEPARTMENT OF BUDGET AND MANAGEMENT  
7 TOGETHER with the budget request of the MARYLAND Department of [Business and  
8 Economic Development] AGRICULTURE.

9 (d) The MARYLAND Department of [Business and Economic Development]  
10 AGRICULTURE shall provide the [Forvm] COUNCIL with necessary staff and  
11 resources, including office space [if desired by the Forvm].

12 (e) Each unit in the Executive Branch of State government shall participate in  
13 the deliberations of the [Forvm] COUNCIL and work with the [Forvm] COUNCIL on  
14 matters relating to the unit.

15 (f) The Attorney General shall serve as legal advisor to the [Forvm]  
16 COUNCIL.

17 15-108.

18 The [Forvm] COUNCIL may:

19 (1) Maintain [an] A PRINCIPAL office at a location [that the Forvm  
20 designates in accordance with the Forvm budget] IN THE CENTRAL REGION OF THE  
21 STATE THAT IS ACCESSIBLE TO RURAL CITIZENS;

22 (2) Employ, as regular employees or as independent contractors, staff  
23 that the [Forvm] COUNCIL considers necessary in accordance with the [Forvm]  
24 COUNCIL budget;

25 (3) Enter into contracts;

26 (4) Accept grants;

27 (5) Accept assistance of any kind from the federal government, other  
28 units of State government, or local governments, or from any private sources; and

29 (6) Do all things necessary or convenient to carry out its purpose.

30 15-109.

31 (a) The [Forvm] COUNCIL shall publish an annual report of the activities of  
32 the [Forvm] COUNCIL.

33 (b) The report shall be submitted to the Governor and, in accordance with §  
34 2-1246 of the State Government Article, to the General Assembly.



1 15-110.

2 (a) (1) This section only applies if the [Forvm] COUNCIL is dissolved.

3 (2) This section does not apply to the disposition of any funds or other  
4 assets of the State.

5 (b) After paying or making provision for the payment of any liability of the  
6 [Forvm] COUNCIL, the [Forvm] COUNCIL shall dispose of all assets of the [Forvm]  
7 COUNCIL in a manner consistent with the purposes of the [Forvm] COUNCIL by  
8 transferring the assets to an organization that is organized and operated exclusively  
9 for charitable, educational, religious, or scientific purposes and that is then qualified  
10 as an exempt organization under § 501(c)(3) of the Internal Revenue Code.

11 (c) If the [Forvm] COUNCIL fails to dispose of any assets, the circuit court for  
12 the county in which the [Forvm] COUNCIL has its principal office shall dispose of the  
13 assets in a manner consistent with subsection (b) of this section.

14 **Article - State Finance and Procurement**

15 2-206.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) "Board" means the Maryland Agricultural Education and Rural  
18 Development Assistance Board.

19 (3) "COUNCIL" MEANS THE RURAL MARYLAND COUNCIL ESTABLISHED  
20 UNDER ARTICLE 41, TITLE 15 OF THE CODE.

21 (4) "Fund" means the Maryland Agricultural Education and Rural  
22 Development Assistance Fund.

23 (b) The General Assembly finds and declares that:

24 (1) many nonprofit organizations that serve the needs of the rural areas  
25 of the State experience fiscal difficulties in addressing the areas of economic and  
26 community development and agriculture and forestry education because of the  
27 inadequacy of funding resources for them;

28 (2) these organizations do not have the access to private and public  
29 sources of funding that are generally more available to nonprofit groups that serve  
30 the needs of the metropolitan areas of the State; and

31 (3) as a result, the rural areas of the State face a serious deficit of  
32 resources where the need, in many instances, is greatest.

33 (c) (1) There is a Maryland Agricultural Education and Rural Development  
34 Assistance Fund that shall be administered by the [Board of Public Works] COUNCIL.

1 (2) The purpose of the Fund is to provide funding:

2 (i) to rural regional planning and economic development  
3 organizations and rural community development programs whose missions and work  
4 have statewide implications and merit State support; and

5 (ii) to augment the efforts of advanced technology centers AND  
6 SIMILAR PROGRAMS that serve agricultural and natural resources based small  
7 businesses in rural areas through community colleges.

8 (3) (i) The Fund is a continuing, nonlapsing fund which is not subject  
9 to § 7-302 of this article.

10 (ii) The Treasurer shall separately hold and the Comptroller shall  
11 account for the Fund.

12 (iii) The Treasurer may invest moneys in the Fund in the same  
13 manner as other State money may be invested.

14 (4) Expenditures from the Fund may only be made:

15 (i) pursuant to an appropriation approved by the General  
16 Assembly in the annual State budget; or

17 (ii) by the budget amendment procedure provided for in § 7-209 of  
18 this article, provided that:

19 1. the budget amendment and supporting information have  
20 been submitted to the budget committees for their review and comment; and

21 2. at least 45 days have elapsed from the time the budget  
22 amendment and supporting information were submitted to the budget committees.

23 [(d) The Board of Public Works shall designate the Department of Business  
24 and Economic Development as the agency to administer the grant funding under this  
25 section.]

26 [(e) (D) The [Department of Business and Economic Development] COUNCIL  
27 shall award grants on the basis of the BINDING recommendations of the Maryland  
28 Agricultural Education and Rural Development Assistance Board.

29 [(f) (E) (1) There is a Maryland Agricultural Education and Rural  
30 Development Assistance Board.

31 (2) The Board shall consist of:

32 (i) the Secretary of Agriculture or the Secretary's designee;

33 (ii) the Secretary of Business and Economic Development or the  
34 Secretary's designee;

1 (III) THE SECRETARY OF HOUSING AND COMMUNITY  
2 DEVELOPMENT OR THE SECRETARY'S DESIGNEE;

3 (IV) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE  
4 SECRETARY'S DESIGNEE;

5 [(iii)] (V) the Secretary of Natural Resources or the Secretary's  
6 designee; and

7 [(iv)] (VI) the Chairman of the [Forvm for Rural Maryland]  
8 COUNCIL or the Chairman's designee.

9 (3) THE AGENCIES LISTED IN SUBSECTION (E)(2)(I) THROUGH (V) OF THIS  
10 SECTION MAY ASSIST THE COUNCIL WITH ADMINISTERING INDIVIDUAL GRANT  
11 AWARDS.

12 [(3)] (4) The Board shall:

13 (i) establish procedures for applications for grants;

14 (ii) review applications for grants; and

15 (iii) make BINDING recommendations to the [Department of  
16 Business and Economic Development] COUNCIL regarding the [recipient]  
17 RECIPIENTS of grants and the amount of the grants.

18 [(4)] (5) [Beginning in fiscal year 2002, the] THE Board shall give  
19 funding priority to organizations described in subsection (c)(2)(i) of this section that  
20 have:

21 (i) obtained an equal matching amount of funding from a source  
22 other than the State in the immediate prior fiscal year; or

23 (ii) sufficient evidence of a commitment of a third party funding  
24 source to provide an equal matching amount of funding in the current fiscal year.

25 [(g)] (F) (1) A grant recipient shall submit to the [Department of Business  
26 and Economic Development] COUNCIL written documentation of how the grant  
27 recipient spent or otherwise used the grant.

28 (2) On or before June 30 of each year, the [Department of Business and  
29 Economic Development] COUNCIL shall submit to the Governor and, in accordance  
30 with § 2-1246 of the State Government Article, the General Assembly, a written  
31 report that includes:

32 (i) the number of grants made during the fiscal year;

33 (ii) the names of the recipients of the grants;

34 (iii) the specific purpose of each grant awarded; and

1 (iv) documentation of how the grant recipient spent or otherwise  
2 used the grant.

3 11-203.

4 (a) Except as provided in subsection (b) of this section, this Division II does  
5 not apply to:

6 (1) procurement by:

7 (i) the Blind Industries and Services of Maryland;

8 (ii) the Maryland State Arts Council, for the support of the arts;

9 (iii) the Maryland Health and Higher Educational Facilities  
10 Authority, if no State money is to be spent on a procurement contract;

11 (iv) the Maryland Higher Education Supplemental Loan Authority,  
12 if no State money is to be spent on a procurement contract;

13 (v) the Maryland Industrial Training Program or the Partnership  
14 for Workforce Quality Program in the Department of Business and Economic  
15 Development, for training services or programs for new or expanding businesses or  
16 industries or businesses or industries in transition;

17 (vi) the Maryland Food Center Authority, to the extent the  
18 Authority is exempt under Title 13, Subtitle 1 of Article 41 of the Code;

19 (vii) the Maryland Public Broadcasting Commission, for services of  
20 artists for educational and cultural television productions;

21 (viii) public institutions of higher education, for cultural,  
22 entertainment, and intercollegiate athletic procurement contracts;

23 (ix) the Maryland State Planning Council on Developmental  
24 Disabilities, for services to support demonstration, pilot, and training programs;

25 (x) the Maryland Automobile Insurance Fund;

26 (xi) the Maryland Historical Trust for:

27 1. surveying and evaluating architecturally, archeologically,  
28 historically, or culturally significant properties; and

29 2. other than as to architectural services, preparing historic  
30 preservation planning documents and educational material;

31 (xii) the University of Maryland, for University College Overseas  
32 Programs, if the University adopts regulations that:

- 1 1. establish policies and procedures governing procurement  
2 for University College Overseas Programs; and
- 3 2. promote the purposes stated in § 11-201(a) of this subtitle;
- 4 (xiii) St. Mary's College of Maryland;
- 5 (xiv) the Department of Business and Economic Development, for  
6 negotiating and entering into private sector cooperative marketing projects that  
7 directly enhance promotion of Maryland and the tourism industry where there will be  
8 a private sector contribution to the project if not less than 50% of the total cost of the  
9 project, if the project is reviewed by the Attorney General and approved by the  
10 Secretary of Business and Economic Development or the Secretary's designee;
- 11 (xv) the [Forvm for] Rural Maryland COUNCIL;
- 12 (xvi) the Maryland State Lottery Agency, for negotiating and  
13 entering into private sector cooperative marketing projects that directly enhance  
14 promotion of the Maryland State Lottery and its products, if the cooperative  
15 marketing project:
  - 16 1. provides a substantive promotional or marketing value  
17 that the lottery determines acceptable in exchange for advertising or other  
18 promotional activities provided by the lottery;
  - 19 2. does not involve the advertising or other promotion of  
20 alcohol or tobacco products; and
  - 21 3. is reviewed by the Attorney General and approved by the  
22 Maryland Lottery Director or the Director's designee; and
- 23 (xvii) the Maryland Health Insurance Plan established under Title  
24 14, Subtitle 5 of the Insurance Article;
- 25 (2) procurement by a unit from:
  - 26 (i) another unit;
  - 27 (ii) a political subdivision of the State;
  - 28 (iii) an agency of a political subdivision of the State;
  - 29 (iv) a government, including the government of another state, of the  
30 United States, or of another country;
  - 31 (v) an agency or political subdivision of a government; or
  - 32 (vi) a bistate, multistate, bicounty, or multicounty governmental  
33 agency; or
- 34 (3) procurement in support of enterprise activities for the purpose of:

1 (i) direct resale; or

2 (ii) remanufacture and subsequent resale.

3 (b) (1) The following provisions of this Division II apply to each procurement  
4 enumerated in subsection (a) of this section:

5 (i) § 11-205 of this subtitle ("Fraud in procurement");

6 (ii) § 12-204 of this article ("Board approval for designated  
7 contracts");

8 (iii) Title 12, Subtitle 2 of this article ("Supervision of Capital  
9 Expenditures and Real Property Leases");

10 (iv) § 13-219 of this article ("Required clauses - Nondiscrimination  
11 clause");

12 (v) § 13-221 of this article ("Disclosures to Secretary of State");

13 (vi) Title 16 of this article ("Debarment of Contractors"); and

14 (vii) Title 17 of this article ("Special Provisions - State and Local  
15 Subdivisions").

16 (2) A procurement by an entity listed in subsection (a)(1)(i) through (xv)  
17 of this section shall be made under procedures that promote the purposes stated in §  
18 11-201(a) of this subtitle.

19 (3) (i) A unit that procures human, social, or educational services from  
20 an entity enumerated in subsection (a)(2) of this section shall publish in the Contract  
21 Weekly notice of a procurement contract or an extension or renewal of a procurement  
22 contract if:

23 1. the procurement contract, extension, or renewal costs  
24 more than \$25,000; and

25 2. the procurement is made for 3rd party clients described in  
26 § 13-106 of this article.

27 (ii) The notice required under this paragraph shall be published not  
28 more than 30 days after the execution and approval of the procurement contract or  
29 the extension or renewal of the procurement contract.

30 (4) The purchase of advisory services from the General Selection Board  
31 or the Transportation Selection Board under § 13-305 of this article shall be governed  
32 by the Maryland Architectural and Engineering Services Act.

1

**Article - State Government**

2 10-102.

3 (b) This subtitle does not apply to:

4 (1) a unit in the Legislative Branch of the State government;

5 (2) a unit in the Judicial Branch of the State government;

6 (3) the Injured Workers' Insurance Fund;

7 (4) a board of license commissioners; or

8 (5) the [Forvm for] Rural Maryland COUNCIL.

9

**Chapter 552 of the Acts of 2000**

10 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the  
11 General Assembly that the Governor include in the annual State budget funds for the  
12 [Forvm for] Rural Maryland COUNCIL in an amount equivalent to OR IN EXCESS OF  
13 the [Forvm's] COUNCIL'S federal funding.

14 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take  
15 effect July 1, 2000. [It shall remain effective for a period of 4 years and, at the end of  
16 June 30, 2004, with no further action required by the General Assembly, this Act shall  
17 be abrogated and of no further force and effect.]

18

**Chapter 534 of the Acts of 2002**

19 SECTION 2. AND BE IT FURTHER ENACTED, That:

20 (a) There is an Interagency Technical Assistance Committee on Wastewater  
21 Treatment Systems.22 (b) The Committee shall consist of at least 12 members, including  
23 representatives appointed by each of the following agencies and organizations:

24 (1) the Department of Housing and Community Development;

25 (2) the Department of Planning;

26 (3) the Maryland Environmental Service;

27 (4) the [FORVM for] Rural Maryland COUNCIL;

28 (5) the Maryland Center for Environmental Training;

29 (6) the Environmental Finance Center;

30 (7) the U.S. Department of Agriculture Rural Development;

- 1 (8) the Maryland Municipal League;
- 2 (9) the Maryland Association of Counties;
- 3 (10) the Maryland Rural Water Association;
- 4 (11) the Chesapeake Bay Foundation; and
- 5 (12) Safe Waterways in Maryland (SWIM).

6 (c) The members shall elect a chairman from among the members of the  
7 Committee.

8 (d) The Department of the Environment shall provide staff for the Committee.

9 (e) A member may not receive compensation for serving on the Committee, but  
10 is entitled to reimbursement for expenses under the Standard State Travel  
11 Regulations, as provided in the State budget.

12 (f) The Committee shall implement a recommendation of the Governor's Task  
13 Force on Upgrading Sewerage Systems by advising local jurisdictions on the efficient  
14 operation and financial management of wastewater treatment systems.

15 (g) The Committee shall report to the State Advisory Council on Water  
16 Security and Sewerage Systems on or before November 1 of each year.

17 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
18 General Assembly that the Department of Business and Economic Development  
19 continue to administer the Maryland Agricultural Education and Rural Development  
20 Assistance Fund for all grants made during Fiscal Year 2003, and earlier; and that  
21 the Rural Maryland Council will begin administration of the Fund beginning in Fiscal  
22 Year 2004, and continuing thereafter, by utilizing any appropriations that may have  
23 been provided through the Board of Public Works for this purpose.

24 SECTION 3. AND BE IT FURTHER ENACTED, That any employee, who, as  
25 of June 30, 2003, is assigned to the FORVM for Rural Maryland is hereby transferred  
26 to the Rural Maryland Council, as established by Section 1 of this Act, effective July  
27 1, 2003, without any change or loss of rights or status.

28 SECTION 4. AND BE IT FURTHER ENACTED, That, except as expressly  
29 provided to the contrary in this Act, any transaction affected by or flowing from any  
30 statute here amended, repealed, or transferred, and validly entered into before the  
31 effective date of this Act and every right, duty, or interest following from it remains  
32 valid after the effective date of this Act and may be terminated, completed,  
33 consummated, or enforced pursuant to law.

34 SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the  
35 General Assembly that office furniture, computers, and other equipment, and  
36 miscellaneous supplies that were purchased by the FORVM will transfer to the Rural  
37 Maryland Council when its offices are relocated from Baltimore to Annapolis. The



1 affected State agencies are also directed to assist the FORVM and Rural Maryland  
2 Council with their telecommunications and Internet website needs to insure that  
3 services provided to the public are maintained with a minimum level of disruption.

4 SECTION 6. AND BE IT FURTHER ENACTED, That, except as otherwise  
5 provided in this Act, all rules and regulations, proposed rules and regulations,  
6 standards and guidelines, proposed standards and guidelines, orders and other  
7 directives, forms, plans, memberships, special funds, appropriations, grants, loans,  
8 applications and commitments for grants and loans, contracts, properties,  
9 investigations, administrative and judicial proceedings, rights to sue and be sued, and  
10 all other duties and responsibilities associated with those functions transferred by  
11 this Act shall continue in effect until completed, withdrawn, canceled, modified, or  
12 otherwise changed pursuant to law.

13 SECTION 7. AND BE IT FURTHER ENACTED, That if any provision of this  
14 Act or the application thereof to any person or circumstance is held invalid for any  
15 reason in a court of competent jurisdiction, the invalidity does not affect other  
16 provisions or any other application of this Act which can be given effect without the  
17 invalid provision or application, and for this purpose the provisions of this Act, are  
18 declared severable.

19 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take  
20 effect July 1, 2003.