

## Chapter 223

**(Senate Bill 467)**

AN ACT concerning

**Forestry – Mel Noland Fellowship Program – Establishment**

FOR the purpose of establishing the Mel Noland Fellowship Program in the Department of Natural Resources; establishing the purpose of the Fellowship Program; requiring the Department to develop criteria for the selection of fellows and ~~receiving~~ managing organizations; requiring the Department to select a certain managing organization; requiring the Department and managing organization to select a certain number of fellows and ~~place them in receiving organizations working in certain areas~~ support them in their matriculation in certain fields of study at an institution of higher education; authorizing the Department or managing organization to require a fellow to complete certain tasks; requiring a fellow to receive a certain stipend ~~in addition to a certain salary~~; providing for the use of certain funds; renaming a certain special fund to be the Mel Noland Woodland Incentives and Fellowship Fund; expanding the authorized uses of the Fund to include funding the Fellowship Program; expanding the sources of the Fund; requiring the Governor to appropriate a certain amount to the Fund for certain fiscal years; requiring the Department to direct a certain amount from the Fund to the Fellowship Program for certain purposes in certain fiscal years; defining certain terms; altering certain definitions; and generally relating to the Mel Noland Fellowship Program.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
 Section 5–301(a)  
 Annotated Code of Maryland  
 (2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
 Section 5–301(g) and 5–307 to be under the amended subtitle “Subtitle 3. Woodland Incentives and Mel Noland Fellowship Programs”  
 Annotated Code of Maryland  
 (2018 Replacement Volume)

BY adding to

Article – Natural Resources  
 Section 5–308  
 Annotated Code of Maryland  
 (2018 Replacement Volume)

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

**Article – Natural Resources**

**Subtitle 3. Woodland Incentives [Program] AND MEL NOLAND FELLOWSHIP PROGRAMS.**

5–301.

(a) In this subtitle the following words have the meanings indicated.

(g) “Mel Noland Woodland Incentives **AND FELLOWSHIP** Fund” means the special fund established in the State Treasury under § 5–307 of this subtitle.

5–307.

(a) In this section, “Fund” means the Mel Noland Woodland Incentives **AND FELLOWSHIP** Fund.

(b) There is a Mel Noland Woodland Incentives **AND FELLOWSHIP** Fund in the Department.

(c) The purpose of the Fund is to finance [the]:

**(1) THE** Woodland Incentives Program and the cost–share assistance established under this subtitle; **AND**

**(2) THE MEL NOLAND FELLOWSHIP PROGRAM ESTABLISHED UNDER THIS SUBTITLE.**

(d) The Department shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund.

(f) **(1)** The Fund consists of:

**[(1)] (1)** As provided in § 13–306 of the Tax – Property Article, up to \$200,000 annually of the proceeds of the tax imposed by § 13–302 of the Tax – Property Article that are attributable to the taxation of instruments of writing that transfer title to parcels of land that are entirely woodland;

**[(2)] (II)** Revenues collected by the Department from the payment of charges imposed for Department assistance in implementation of an approved practice;

**[(3)] (III)** Money distributed from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund under § 8–2A–04 of this article; **[and]**

**[(4)] (IV)** Subject to approval by the Secretary and the Board of Public Works, a portion of the revenues derived from the forestry practices on designated lands owned and managed by the Department, that are conducted in accordance with applicable State law and regulation; **AND**

**(V) MONEY APPROPRIATED TO THE FUND UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

**(2) FOR FISCAL YEAR 2021 AND EACH SUBSEQUENT FISCAL YEAR, THE GOVERNOR SHALL APPROPRIATE \$50,000 TO THE FUND.**

(g) The Department shall use the Fund:

(1) To help fund the Woodland Incentives Program and the cost–share assistance established under this subtitle;

**(2) TO FUND THE MEL NOLAND FELLOWSHIP PROGRAM ESTABLISHED UNDER THIS SUBTITLE;**

**(3)** For administrative costs calculated in accordance with § 1–103(b)(2) of this article;

**[(3)] (4)** To offset the costs of the Forest and Park Service for developing and approving forest stewardship plans on privately owned forest lands;

**[(4)] (5)** To provide annual grants to the forest conservancy district boards under § 5–605 of this title, to help facilitate their respective outreach efforts to encourage forest land owners to develop forest stewardship and other forest conservation management plans;

**[(5)] (6)** To establish a forest health emergency contingency program to help:

(i) Maintain the health and vitality of publicly owned and privately owned forest lands; and

(ii) Prevent or control large degradation caused by natural threats;

**[(6)] (7)** To provide financial assistance, as provided in the State budget, for the administration of an urban and community forestry program established under § 5–426 of this title, including:

- (i) Increasing the number of communities with tree canopy goals;
- (ii) Facilitating compliance with the Chesapeake Bay Program’s forestry targets;
- (iii) Supporting the use of urban tree canopy expansion for air quality improvement purposes; and
- (iv) Helping achieve implementation of Regional Greenhouse Gas Initiative offset opportunities in urban areas;

**[(7)] (8)** To help fund a forest marketing and utilization program in the Department to provide financial assistance to help support, stimulate, and market innovative and creative ways to enhance the production of value-added wood products;

**[(8)] (9)** To help the Department, in cooperation with appropriate public and private sector entities, develop and expand:

- (i) A forest mitigation banking system;
- (ii) A carbon credit or carbon sequestration program;
- (iii) A clean water credit trading system;
- (iv) An environmental services credit trading program; and
- (v) A renewable energy credit trading system; and

**[(9)] (10)** To help offset administrative costs for providing staff assistance to the Sustainable Forestry Council established under § 5–204 of this title.

(h) The amount of revenues collected under subsection **[(f)(1)] (F)(1)(I)** of this section shall be included in the report required under § 16–103 of the Local Government Article.

(i) **(1)** The amount of the grants under subsection **[(g)(4)] (G)(5)** of this section shall be determined by the Department and eligibility for the grants shall be contingent on each board providing an in-kind match as certified by the Secretary.

**(2) FOR FISCAL YEAR 2021 AND EACH SUBSEQUENT FISCAL YEAR, THE DEPARTMENT SHALL DIRECT \$50,000 FROM THE FUND TO THE MEL NOLAND FELLOWSHIP PROGRAM FOR THE PURPOSE OF:**

**(I) PAYING STIPENDS TO FELLOWS, IN ACCORDANCE WITH § 5-308 OF THIS SUBTITLE; AND**

**(II) OFFSETTING THE COST ~~TO THE DEPARTMENT~~ OF ADMINISTERING THE MEL NOLAND FELLOWSHIP PROGRAM, INCLUDING THE COST OF RECRUITING, SELECTING, AND ~~MANAGING~~ SUPERVISING FELLOWS.**

(j) On or before September 30 of each year, the Department shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2-1246 of the State Government Article, on the use of funds credited to the Fund, including an identification of and the reasons for those revenues derived from forestry practices on designated lands owned and managed by the Department that were not credited to the Fund.

(k) (1) The Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(l) Expenditures from the Fund may be made only in accordance with the State budget.

**5-308.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “FELLOW” MEANS AN INDIVIDUAL SELECTED TO PARTICIPATE IN THE FELLOWSHIP PROGRAM.**

**(3) “FELLOWSHIP PROGRAM” MEANS THE MEL NOLAND FELLOWSHIP PROGRAM.**

**(4) “~~RECEIVING~~ MANAGING ORGANIZATION” MEANS AN ORGANIZATION ~~WHERE A FELLOW IS PLACED~~ SELECTED BY THE DEPARTMENT TO COORDINATE THE ADMINISTRATION OF THE FELLOWSHIP PROGRAM WITH THE DEPARTMENT.**

**(B) THERE IS A MEL NOLAND FELLOWSHIP PROGRAM IN THE DEPARTMENT.**

(C) ~~THE PURPOSE OF THE FELLOWSHIP PROGRAM IS TO SUPPORT THE PROFESSIONAL DEVELOPMENT OF INDIVIDUALS BEGINNING A CAREER IN FORESTRY MANAGEMENT~~ STUDENTS SEEKING A CAREER IN FIELDS RELATING TO NATURAL RESOURCES AS THEY MATRICULATE AND GRADUATE FROM AN INSTITUTION OF HIGHER EDUCATION.

(D) THE DEPARTMENT SHALL DEVELOP CRITERIA FOR THE SELECTION OF:

- (1) FELLOWS; AND
- (2) ~~RECEIVING~~ MANAGING ORGANIZATIONS.

(E) THE DEPARTMENT SHALL SELECT A MANAGING ORGANIZATION WITH WHICH THE DEPARTMENT SHALL COORDINATE TO ADMINISTER THE FELLOWSHIP PROGRAM UNDER THIS SECTION.

~~(E)~~ (F) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, EACH YEAR, THE DEPARTMENT AND THE MANAGING ORGANIZATION SHALL SELECT TWO FELLOWS AND PLACE THEM IN RECEIVING ORGANIZATIONS SUPPORT THEM IN THEIR MATRICULATION IN A NATURAL RESOURCES FIELD AT AN INSTITUTION OF HIGHER EDUCATION.

(2) ONE FELLOW SHALL BE PLACED AT A RECEIVING ORGANIZATION WORKING IN THE AREA OF FORESTRY MANAGEMENT SEEKING A DEGREE TO WORK IN THE FIELD OF NATURAL RESOURCES MANAGEMENT.

(3) ONE FELLOW SHALL BE PLACED AT A RECEIVING ORGANIZATION WORKING IN THE AREA OF SEEKING A DEGREE TO WORK IN THE FIELD OF URBAN AND COMMUNITY FORESTRY.

(G) THE DEPARTMENT OR THE MANAGING ORGANIZATION MAY REQUIRE A FELLOW TO COMPLETE TASKS RELATED TO THE FELLOWSHIP PROGRAM IN ADDITION TO THE FELLOW'S COURSE OF STUDY.

~~(F)~~ (H) (1) ~~IN ADDITION TO ANY SALARY PROVIDED BY THE RECEIVING ORGANIZATION, A~~ A FELLOW SHALL RECEIVE AN ANNUAL STIPEND OF \$20,000 PAID FROM THE MEL NOLAND WOODLAND INCENTIVES AND FELLOWSHIP FUND.

(2) ANY FUNDS REMAINING AFTER THE STIPENDS UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE DISTRIBUTED FROM THE GOVERNOR'S APPROPRIATION REQUIRED UNDER § 5-307 OF THIS SUBTITLE SHALL BE USED FOR THE ADMINISTRATION OF THE FELLOWSHIP PROGRAM, INCLUDING THE

**RECRUITMENT, SELECTION, AND SUPERVISION OF THE FELLOWS BY THE DEPARTMENT AND THE MANAGING ORGANIZATION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

**Approved by the Governor, April 30, 2019.**