

SENATE BILL 737

F2, M3

0lr3264
CF HB 1520

By: **Senator Elfreth**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2020

CHAPTER _____

1 AN ACT concerning

2 **Sustainable Maryland Program Fund – Establishment**

3 FOR the purpose of establishing the Sustainable Maryland Program Fund as a special,
4 nonlapsing fund; specifying the purpose of the Fund; requiring the University of
5 Maryland Environmental Finance Center to administer the Fund; requiring the
6 State Treasurer to hold the Fund and the Comptroller to account for the Fund;
7 specifying the contents of the Fund; specifying the purpose for which the Fund may
8 be used; providing for the investment of money in and expenditures from the Fund;
9 requiring interest earnings of the Fund to be credited to the Fund; exempting the
10 Fund from a certain provision of law requiring interest earnings on State money to
11 accrue to the General Fund of the State; requiring the Governor to include in the
12 annual budget bill a certain appropriation to the Fund; defining a certain term; and
13 generally relating to the Sustainable Maryland Program Fund.

14 BY adding to

15 Article – Education

16 Section 13–105

17 Annotated Code of Maryland

18 (2018 Replacement Volume and 2019 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – State Finance and Procurement

21 Section 6–226(a)(2)(i)

22 Annotated Code of Maryland

23 (2015 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(ii)121. and 122.
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2019 Supplement)

6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(ii)123.
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2019 Supplement)

11 Preamble

12 WHEREAS, Ensuring that Maryland communities are sustainable and
13 environmentally responsible, and use resources efficiently to ensure a prosperous future, is
14 of the utmost importance to our citizens; and

15 WHEREAS, Sustainable Maryland, a program of the Environmental Finance Center
16 at the University of Maryland, College Park Campus, supports the mission and priorities
17 of State agencies by coordinating access to the full suite of State programs and resources
18 that can support communities to enhance and expand local economies, infrastructure, and
19 stewardship; and

20 WHEREAS, Sustainable Maryland helps Maryland communities to choose a
21 direction for their greening efforts, complete their chosen actions with guidance from
22 program tools, trainings, and other resources, and gain recognition for their
23 accomplishments; and

24 WHEREAS, Sustainable Maryland acts as an extension arm of the School of
25 Architecture, Planning, and Preservation; and

26 WHEREAS, Maryland’s Built Environment School serves the University of
27 Maryland’s land grant mission as a conduit for sharing and applying the research,
28 education, and technical resources of the University with communities throughout the
29 State; and

30 WHEREAS, Sustainable Maryland develops the next generation of leaders by
31 offering students paid and volunteer opportunities to apply their knowledge, research, and
32 skills to real world local issues; now, therefore,

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

35 **Article – Education**

1 **13-105.**

2 (A) IN THIS SECTION, "FUND" MEANS THE SUSTAINABLE MARYLAND
3 PROGRAM FUND.

4 (B) THERE IS A SUSTAINABLE MARYLAND PROGRAM FUND.

5 (C) THE PURPOSE OF THE FUND IS TO EXPAND AND ENHANCE
6 SUSTAINABLE MARYLAND'S PROMOTION AND SUPPORT OF COMMUNITIES IN THE
7 STATE IN THE EFFORT TO REALIZE ENVIRONMENTAL, ECONOMIC, AND SOCIAL
8 SUSTAINABILITY.

9 (D) THE UNIVERSITY OF MARYLAND ENVIRONMENTAL FINANCE CENTER
10 SHALL ADMINISTER THE FUND.

11 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
12 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

13 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
14 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

15 (F) THE FUND CONSISTS OF:

16 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

17 (2) INTEREST EARNINGS; AND

18 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
19 THE BENEFIT OF THE FUND.

20 (G) THE FUND MAY BE USED ONLY FOR:

21 (1) OFFERING TRAINING AND EDUCATION TO ENSURE COMMUNITIES
22 ARE WELL INFORMED ON ADVANCES IN SUSTAINABILITY SCIENCE, POLICY, AND
23 PRACTICE;

24 (2) OUTREACH AND ENGAGEMENT TO BUILD LOCAL CAPACITY AND
25 INSTITUTIONALIZE SUSTAINABILITY EFFORTS WITHIN COMMUNITIES, INCLUDING:

26 (I) AN ANNUAL SUSTAINABILITY CONFERENCE;

27 (II) A PEER-TO-PEER LEARNING EXCHANGE; AND

28 (III) SUSTAINABLE MARYLAND GREEN TEAM ROADSHOWS;

1 (3) DEVELOPING AND EXPANDING THE SUSTAINABLE MARYLAND
2 PROGRAM;

3 (4) IMPROVING GREEN COMMUNITY CERTIFICATION TIERS WITH NEW
4 STRATEGIES AND ACTIONS;

5 (5) PROVIDING ANNUAL COMMUNITY INNOVATION SMALL GRANTS TO
6 HELP COMMUNITIES PILOT NEW INNOVATIVE STRATEGIES;

7 (6) RECOGNIZING COMMUNITY EFFORTS TOWARD ACHIEVING GREEN
8 CERTIFICATION; AND

9 (7) ADMINISTRATIVE EXPENSES RELATED TO THE SUSTAINABLE
10 MARYLAND PROGRAM.

11 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
12 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

13 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
14 THE FUND.

15 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
16 WITH THE STATE BUDGET.

17 (J) MONEY EXPENDED FROM THE FUND FOR THE SUSTAINABLE
18 MARYLAND PROGRAM IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE
19 PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE
20 SUSTAINABLE MARYLAND PROGRAM.

21 (K) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE
22 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
23 ~~\$750,000~~ \$225,000 TO THE FUND.

24 **Article – State Finance and Procurement**

25 6–226.

26 (a) (2) (i) Notwithstanding any other provision of law, and unless
27 inconsistent with a federal law, grant agreement, or other federal requirement or with the
28 terms of a gift or settlement agreement, net interest on all State money allocated by the
29 State Treasurer under this section to special funds or accounts, and otherwise entitled to
30 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
31 Fund of the State.

1 (ii) The provisions of subparagraph (i) of this paragraph do not apply
2 to the following funds:

3 121. the Markell Hendricks Youth Crime Prevention and
4 Diversion Parole Fund; [and]

5 122. the Federal Government Shutdown Employee Assistance
6 Loan Fund; AND

7 **123. THE SUSTAINABLE MARYLAND PROGRAM FUND.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.