

SB0541/343823/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 541
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Carozza, McCray, and Salling”; in line 18, strike “and”; in the same line, after “Park” insert “, and authorizing the Department of Natural Resources to enter into a certain memorandum of understanding or partnership agreement to establish or manage a partnership park in the State”; and in line 25, after “Fund;” insert “establishing the Great Maryland Outdoors Fund as a special, nonlapsing fund to provide funding related to outdoor recreation in the State; requiring interest earnings of the Great Maryland Outdoors Fund to be credited to the Fund; increasing the amount of Program Open Space grants awarded to Baltimore City beginning in a certain fiscal year;”.

On page 2, in line 2, after “Corporation;” insert “authorizing the Governor, for certain fiscal years, to include in the annual budget bill an appropriation not exceeding a certain amount to the Great Maryland Outdoors Fund; extending the termination of certain provisions of law relating to the State Lakes Protection and Restoration Fund; requiring the Department of Budget and Management to revise a certain job title on or before a certain date;”; in line 6, after “5–204” insert “, 5–206(c), 5–903(a)(2)(ii)2.,”; in line 11, strike “5–2A–05” and substitute “5–2A–06”; in line 11, strike the first comma and substitute “and”; in the same line, strike “, and 5–221” and substitute “through 5–222”; and after line 14, insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–903(a)(2)(ii)1. and 3.

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)”.

SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 2 of 14

On page 3, in line 8, strike “and 147.” And substitute “through 148.”; in line 18, strike “9–503” and substitute “9–503(d) and (e)”; and after line 25, insert:

“BY repealing and reenacting, with amendments,
Chapter 698 of the Acts of the General Assembly of 2018
Section 3”.

AMENDMENT NO. 2

On page 4, after line 20, insert:

“5–206.

(c) A [park services associate] **PARK RANGER** who is not commissioned as a law enforcement officer under subsection (b) of this section may issue a citation for a parking violation on:

(1) Property owned by the State and managed by the Department;

(2) Public and private property that is within the boundaries of State property managed by the Department;

(3) Public and private property that adjoins property owned by the State and managed by the Department; and

(4) A roadway within the boundaries of, or that portion of a roadway that adjoins, property owned by the State and managed by the Department.”;

in line 26, strike “AND”; and in line 27, after “**PROJECT;**” insert “AND

(III) **THE DATE ON WHICH EACH PROJECT WAS ADDED TO THE SYSTEM;**”.

**SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 3 of 14**

On page 5, in line 3, strike “SITES” and substitute “STRUCTURES, INFRASTRUCTURE, AND LANDSCAPES”; and in line 24, after “RESTORATION” insert “, PRESERVATION,”.

On page 6, in line 19, after “STATE” insert “PARK”.

On page 7, in line 7, strike “\$80,000,000” and substitute “\$70,000,000”.

On page 7 in line 18, and on page 8 in line 5, in each instance, after “STATE” insert “PARK”.

On page 7 in line 22, and on page 8 in line 9, in each instance, after “PURPOSES” insert “AS A STATE PARK”.

On page 8, in line 23, strike “\$70,000,000” and substitute “\$36,873,928”; in the same line, strike “TO BE USED AS FOLLOWS:” and substitute a period; and after line 23, insert:

“(L) THE FIRST \$70,000,000 RECEIVED BY THE FUND MAY BE USED ONLY AS FOLLOWS:”.

On page 9, in line 3, after “PRESERVATION” insert “, IN ACCORDANCE WITH SUBSECTION (M) OF THIS SECTION”; and after line 23, insert:

“(M) FUNDING FOR HISTORIC PRESERVATION UNDER SUBSECTION (L) OF THIS SECTION SHALL BE USED TO PROVIDE GRANTS TO, PARTICIPATE IN COOPERATIVE AGREEMENTS WITH, OR USE OTHER FINANCIAL INSTRUMENTS TO FUND THE REHABILITATION OF STATE-OWNED HISTORIC RESOURCES IN THE MARYLAND STATE PARK SYSTEM PERFORMED BY A NONGOVERNMENTAL ORGANIZATION CAPABLE OF:

(Over)

- (1) PROJECT MANAGEMENT;
- (2) HISTORIC REHABILITATION;
- (3) PROPERTY DEVELOPMENT; OR
- (4) PUBLIC SERVICE CORPS MANAGEMENT.

(N) IF THE FUND RECEIVES MORE THAN \$70,000,000, THE DEPARTMENT MAY USE UP TO \$10,000,000 FOR ANY OF THE PURPOSES IDENTIFIED UNDER SUBSECTION (L) OF THIS SECTION, INCLUDING LAND ACTIVATION AND NEW STRUCTURES.

5-222.

(A) IN THIS SECTION, "FUND" MEANS THE GREAT MARYLAND OUTDOORS FUND.

(B) THERE IS A GREAT MARYLAND OUTDOORS FUND IN THE DEPARTMENT.

(C) THE PURPOSE OF THE FUND IS TO:

(1) SUPPORT THE OFFICE OF OUTDOOR RECREATION IN THE DEPARTMENT;

(2) PROVIDE RESOURCES TO IMPROVE EXISTING AND CREATE NEW OUTDOOR RECREATION OPPORTUNITIES; AND

(3) IMPLEMENT THE RECOMMENDATIONS OF THE MARYLAND OUTDOOR RECREATION ECONOMIC COMMISSION TO PROMOTE AND GROW THE OUTDOOR RECREATION SECTOR IN THE STATE.

(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 STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND IN ACCORDANCE WITH SUBSECTION (J) OF THIS SECTION;

(2) INTEREST EARNINGS OF THE FUND; AND

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

(G) THE FUND MAY BE USED ONLY FOR:

(1) IMPLEMENTING THE RECOMMENDATIONS OF THE MARYLAND OUTDOOR RECREATION ECONOMIC COMMISSION, INCLUDING ESTABLISHING AND SUPPORTING AN OFFICE OF OUTDOOR RECREATION IN THE DEPARTMENT;

(2) DEPARTMENT PROJECTS AND PROGRAMS THAT PROVIDE, PROMOTE, AND ENHANCE OUTDOOR RECREATION OPPORTUNITIES IN THE

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STATE; AND

(3) AWARDING GRANTS TO DESTINATION MARKETING ORGANIZATIONS FOR THE PURPOSE OF PROMOTING AND MARKETING STATE PARKS.

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

(2) ANY INTEREST OR INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

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

(J) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION NOT EXCEEDING \$3,000,000 TO THE FUND.

(K) MONEY EXPENDED FROM THE FUND FOR EXISTING PROGRAMS IN THE DEPARTMENT THAT PROVIDE, PROMOTE, AND ENHANCE OUTDOOR RECREATION OPPORTUNITIES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THOSE PROGRAMS.”.

On page 10, strike in their entirety lines 4 through 16, inclusive; and after line 16, insert:

“(A) (1) (i) ON OR BEFORE OCTOBER 1, 2023, THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL INCREASE THE NUMBER OF FULL-TIME EMPLOYEES IN THE DEPARTMENT BY 100 PERMANENT, CLASSIFIED POSITIONS.

(ii) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL BUDGET THE 100 POSITIONS REQUIRED UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH AS FOLLOWS:

1. 90 POSITIONS IN THE PARK SERVICE, INCLUDING 1 VOLUNTEER MANAGEMENT PROGRAM COORDINATOR;

2. 5 POSITIONS IN THE ENGINEERING AND CONSTRUCTION UNIT; AND

3. 5 POSITIONS IN THE LAND ACQUISITION AND PLANNING UNIT.

(2) TWO OF THE POSITIONS IN THE LAND ACQUISITION AND PLANNING UNIT SHALL BE FILLED BY ASSISTANT ATTORNEYS GENERAL IN THE STATE WITH EXPERIENCE IN REAL ESTATE LAW.

(3) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$12,000,000 TO FUND THE 100 PERMANENT, CLASSIFIED POSITIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND RELATED OPERATING COSTS.”.

On page 11, in line 14, strike “PARK SERVICE ASSOCIATES AND”.

On page 12, in line 18, strike “AND”; after line 18, insert:

(Over)

SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 8 of 14

“(4) ONE CITIZEN MEMBER, APPOINTED BY THE PRESIDENT OF THE SENATE;

(5) ONE CITIZEN MEMBER, APPOINTED BY THE SPEAKER OF THE HOUSE; AND”;

in line 19, strike “(4)” and substitute “(6)”; in line 21, strike “OF LEGISLATIVE SERVICES”; and in line 28, strike “AND”.

On page 13, in line 1, after “(4)” insert “**A DESCRIPTION OF THE CONDITION OF THE PARK SYSTEM’S NATURAL AND CULTURAL RESOURCES, INCLUDING ANY VULNERABILITIES; AND**

(5)”.

On page 14, after line 5, insert:

“(5) THE DEPARTMENT SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE 5-YEAR CAPITAL IMPROVEMENT PLAN FOR THE PARK SERVICE.”;

and in line 19, after “SUBMIT” insert “**, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE,**”.

On page 15, in line 25, strike “AND”; and in line 28, after “GOALS” insert “**; AND**

(3) SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE COMPREHENSIVE LONG-RANGE STRATEGIC PLAN AND ANY UPDATES TO THE PLAN”.

On page 16, in line 2, after “PARKS” insert “**THROUGH:**

1. LAND ACQUISITION; OR

2. REDESIGNATING EXISTING STATE LAND, INCLUDING CEDARVILLE STATE FOREST, TO BE A STATE PARK”;

in line 5, after “TRAILS” insert “AND TRAIL CONNECTORS”; and in line 18, strike “AN ECONOMIC” and substitute “A PARTNERSHIP”.

On page 18, after line 5, insert:

5-2A-06.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE PARK SERVICE IDENTIFY AND ACQUIRE LAND TO BE USED FOR A STATE PARK IN PRINCE GEORGE’S COUNTY WITHIN THE BOUNDARY CREATED BY INTERSTATE 495 IN THE STATE AND THE DISTRICT OF COLUMBIA.

5-903.

(a) (2) (ii) 1. As specified in subparagraph 2 of this subparagraph, a portion of the State’s share of funds available under subparagraph (i)1A of this paragraph for this program shall be utilized to make grants to Baltimore City for projects which meet park purposes. The grants shall be in addition to any funds Baltimore City is eligible to receive under subsection (b) of this section, and may be used for acquisition or development. In order for Baltimore City to be eligible for a State grant, the Department shall review projects or land to be acquired within Baltimore City, and upon the Department’s recommendation, the Board of Public Works may approve projects and land including the cost. Title to the land shall be in the name of the Mayor and City Council of Baltimore City. The State is not responsible for costs involved in the development or maintenance of the land.

2. The grants to Baltimore City under subparagraph 1 of this subparagraph shall be made in the following amounts:

(Over)

**SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 10 of 14**

- A. For fiscal year 2017, \$1,500,000;
- B. For fiscal year 2018, \$3,500,000;
- C. For fiscal year 2019, \$5,500,000; [and]
- D. For fiscal [year] YEARS 2020 THROUGH 2023, [and for each subsequent fiscal year,] \$6,000,000; AND
- E. FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, \$10,000,000.

3. The grants made under this subparagraph supplement rather than supplant any other funding for park purposes in Baltimore City, no matter the source.”.

On page 19, after line 18, insert:

“(B) THE DEPARTMENT MAY ENTER INTO:

(1) A MEMORANDUM OF UNDERSTANDING WITH A LOCAL GOVERNMENT, BICOUNTY AGENCY, OR NONPROFIT ORGANIZATION TO ESTABLISH A PARTNERSHIP PARK IN THE STATE; OR

(2) A PARTNERSHIP AGREEMENT WITH A LOCAL GOVERNMENT, BICOUNTY AGENCY, OR NONPROFIT ORGANIZATION TO MANAGE A PARTNERSHIP PARK IN THE STATE.”;

in lines 19 and 26, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; and in line 26, strike “THE PARK” and substitute “**FREEDMAN’S STATE HISTORICAL PARK**”.

**SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 11 of 14**

On page 20, in lines 5 and 24, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; and in line 7, strike “THE PARK” and substitute “FREEDMAN’S STATE HISTORICAL PARK”.

On page 21, in lines 1 and 3, in each instance, strike “THE PARK” and substitute “FREEDMAN’S STATE HISTORICAL PARK”; after line 3, insert:

“(G) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT IF THE STATE ACQUIRES CARR’S BEACH FOR THE PURPOSE OF MAKING THE PROPERTY A STATE PARK, THAT THE PROPERTY SHALL BE A PARTNERSHIP PARK ESTABLISHED AND MAINTAINED IN A MANNER SUBSTANTIALLY SIMILAR TO THE REQUIREMENTS ESTABLISHED UNDER SUBSECTIONS (B) THROUGH (D) OF THIS SECTION.

(H) (1) IN THIS SUBSECTION, “WALDORF CORE ZONE” MEANS A GEOGRAPHICAL AREA IN CHARLES COUNTY WITHIN THE FOLLOWING BOUNDARIES:

(I) NORTH OF BILLINGSLEY ROAD;

(II) SOUTH OF MATTAWOMAN CREEK;

(III) EAST OF BENSVILLE ROAD; AND

(IV) WEST OF MARYLAND ROUTE 5.

(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT IF THE STATE ACQUIRES PROPERTY IN THE WALDORF CORE ZONE FOR THE PURPOSE OF MAKING THE PROPERTY A STATE PARK, THE PROPERTY SHALL BE A PARTNERSHIP PARK ESTABLISHED AND MAINTAINED IN A MANNER

(Over)

SUBSTANTIALLY SIMILAR TO THE REQUIREMENTS ESTABLISHED UNDER SUBSECTIONS (B) THROUGH (D) OF THIS SECTION.”;

and in line 15, strike “**\$18,564,469**” and substitute “**\$16,564,469**”.

On page 22, in line 27, strike “**AND**”; and in line 29, after “**FUND**” insert “**; AND**

148. THE GREAT MARYLAND OUTDOORS FUND”.

On page 27, in line 13, strike “**PARK SERVICES ASSOCIATE, A**”.

On pages 27 through 29, strike in their entirety the lines beginning with line 26 on page 27 through line 22 on page 29, inclusive.

On page 29 in line 23, on page 30 in line 6, on page 31 in line 26, and on page 32 in lines 11 and 16, in each instance, strike “**PARK SERVICES ASSOCIATE,**”.

On page 32, in line 25, strike “**\$60,000,000**” and substitute “**\$43,126,072**”; after line 21, insert:

“Chapter 698 of the Acts of 2018

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018. It shall remain effective for a period of [4] 7 years and, at the end of June 30, [2022] 2025, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”;

after line 35, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2022, the Department of Natural Resources shall report to the General Assembly, in

SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 13 of 14

accordance with § 2-1257 of the State Government Article, on the possibility of reopening Fort Tonoloway State Park after the conclusion of the archaeological excavation of the park, including:

(1) whether the site of historic Fort Tonoloway is determined to be located within the park;

(2) if the site of historic Fort Tonoloway is located within the park, whether the site will be redesignated from a State park to be a historic site; and

(3) if the site of historic Fort Tonoloway is not located within the park, when the site will be reopened to the public for recreational use.

SECTION 5. AND BE IT FURTHER ENACTED, That, on or before July 1, 2022, the Department of Budget and Management shall revise the job title of employees with the job title “Park Service Associate” to have the job title “State Park Ranger”.

SECTION 6. AND BE IT FURTHER ENACTED, That on or before October 1, 2023, the Department of Natural Resources, in collaboration with the Maryland Department of Labor, shall:

(1) identify opportunities to create registered apprenticeship programs to help address workforce shortages and the career workforce needs of the Department of Natural Resources, including:

(i) apprenticeships that allow an individual to earn a college degree; and

(ii) registered apprenticeships for high school students; and

(2) report the findings under subsection (1) of this section to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2-1257 of the State Government Article.

(Over)

SB0541/343823/01 Budget and Taxation Committee
Amendments to SB 541
Page 14 of 14

SECTION 7. AND BE IT FURTHER ENACTED, That if Chapter _____ (S.B. 942/H.B. 855) does not take effect, the Governor shall include in the annual budget bill an appropriation of \$2,000,000 to the Maryland Agricultural Land Preservation Fund, in addition to any other funds required to be appropriated to the Fund under this Act.”;

in line 36, strike “4.” and substitute “8.”; and in the same line, strike “July” and substitute “June”.