

HOUSE BILL 646

M4, C8

2lr2753
CF SB 378

By: **Delegates Proctor and R. Jones**

Introduced and read first time: January 31, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Tri-County Council for Southern Maryland – Funding for Southern Maryland**
3 **Agricultural Development Commission**

4 FOR the purpose of requiring the Governor to appropriate a certain amount to the
5 Tri-County Council for Southern Maryland from the Cigarette Restitution Fund in
6 certain fiscal years; requiring the funds appropriated under this Act to be used for
7 the purpose of funding certain activities of the Southern Maryland Agricultural
8 Development Commission; and generally relating to the Tri-County Council for
9 Southern Maryland.

10 BY repealing and reenacting, without amendments,
11 Article – Economic Development
12 Section 13–601
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Economic Development
17 Section 13–611
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Finance and Procurement
22 Section 7–114(b), 7–118(b)(2), and 7–317(f)

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 Annotated Code of Maryland
2 (2021 Replacement Volume)

3 BY repealing and reenacting, without amendments,
4 Article – State Finance and Procurement
5 Section 7–317(a)
6 Annotated Code of Maryland
7 (2021 Replacement Volume)

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

10 **Article – Economic Development**

11 13–601.

- 12 (a) In this subtitle the following words have the meanings indicated.
- 13 (b) “Commissioners” means the Board of County Commissioners of Calvert
14 County, Charles County, or St. Mary’s County, respectively.
- 15 (c) “Council” means the Tri–County Council for Southern Maryland.
- 16 (d) “Executive Director” means the Executive Director of the Council.
- 17 (e) “Plan” means a regional plan that the Council prepares for the region.
- 18 (f) “Region” means Calvert, Charles, and St. Mary’s counties.

19 13–611.

- 20 (a) The State and Calvert, Charles, and St. Mary’s counties may jointly finance
21 the Council and its activities.
- 22 (b) (1) The State may provide financial support to the Council to assist in
23 carrying out the activities of the Council.
- 24 (2) (i) On or before August 1 of each year, the Council shall submit its
25 proposed work programs and operating budget for the following fiscal year to the
26 Department.
- 27 (ii) The submission shall include supporting schedules to show how
28 the budget is financed, and to provide for review and recommendations.
- 29 (iii) After review, the Department shall forward the submission and
30 any recommendations to the Department of Budget and Management for consideration.

1 (3) **(I)** The Governor shall include in the State budget for the following
2 fiscal year an appropriation to partially support the Council.

3 **(II) 1. FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR**
4 **THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN**
5 **APPROPRIATION OF \$900,000 TO THE COUNCIL FROM THE CIGARETTE**
6 **RESTITUTION FUND ESTABLISHED UNDER § 7-317 OF THE STATE FINANCE AND**
7 **PROCUREMENT ARTICLE.**

8 **2. THE COUNCIL SHALL USE FUNDS APPROPRIATED**
9 **FROM THE CIGARETTE RESTITUTION FUND FOR THE PURPOSE OF FUNDING THE**
10 **ACTIVITIES OF THE SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT**
11 **COMMISSION.**

12 **3. THE APPROPRIATION REQUIRED UNDER**
13 **SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE IN ADDITION TO, AND MAY**
14 **NOT SUPPLANT, ANY FUNDING APPROPRIATED TO THE COUNCIL.**

15 (c) (1) The county commissioners of Calvert, Charles, and St. Mary's counties
16 shall appropriate money each year for the Council to foster cooperative planning and
17 development in the region as follows:

18 (i) Calvert County – \$125,000;

19 (ii) Charles County – \$125,000; and

20 (iii) St. Mary's County – \$125,000.

21 (2) Calvert, Charles, and St. Mary's counties may appropriate any other
22 money for the Council as they consider necessary and appropriate.

23 (d) The Council may accept additional money from any other public or private
24 source.

25 **Article – State Finance and Procurement**

26 7-114.

27 (b) Each budget bill shall contain a separate section that includes the
28 appropriation for:

29 (1) each Component of the Tobacco Program;

30 (2) each Component of the Cancer Program; [and]

1 (3) **THE TRI-COUNTY COUNCIL FOR SOUTHERN MARYLAND, IN**
 2 **ACCORDANCE WITH § 13-611 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND**

3 (4) any other program that is funded with money from the Cigarette
 4 Restitution Fund established under § 7-317 of this title.

5 7-118.

6 (b) (2) The budget books shall contain a budget presentation that provides an
 7 overview of the proposed expenditures for:

8 (i) the Tobacco Program, including the proposed expenditures for:

- 9 1. each Component of the Tobacco Program;
- 10 2. each program funded under each Component of the
 11 Tobacco Program; and
- 12 3. each Local Public Health Tobacco Grant;

13 (ii) the Cancer Program, including the proposed expenditures for:

- 14 1. each Component of the Cancer Program;
- 15 2. each program funded under each Component of the Cancer
 16 Program;
- 17 3. each Local Public Health Cancer Grant;
- 18 4. each statewide Academic Health Center Public Health
 19 Grant;
- 20 5. each statewide Academic Health Center Cancer Research
 21 Grant;
- 22 6. each statewide Academic Health Center Tobacco-Related
 23 Diseases Research Grant; and
- 24 7. each statewide Academic Health Center Network Grant;

25 [and]

26 (iii) **THE TRI-COUNTY COUNCIL FOR SOUTHERN MARYLAND, IN**
 27 **ACCORDANCE WITH § 13-611 OF THE ECONOMIC DEVELOPMENT ARTICLE,**
 28 **INCLUDING PROPOSED EXPENDITURES FOR THE SOUTHERN MARYLAND**
 29 **AGRICULTURAL DEVELOPMENT COMMISSION; AND**

1 (IV) any other program that is funded with the Cigarette Restitution
2 Fund established under § 7–317 of this title.

3 7–317.

4 (a) There is a Cigarette Restitution Fund.

5 (f) (1) The Cigarette Restitution Fund shall be used to fund:

6 (i) the Tobacco Use Prevention and Cessation Program established
7 under Title 13, Subtitle 10 of the Health – General Article;

8 (ii) the Cancer Prevention, Education, Screening, and Treatment
9 Program established under Title 13, Subtitle 11 of the Health – General Article; [and]

10 (iii) **THE ACTIVITIES OF THE SOUTHERN MARYLAND**
11 **AGRICULTURAL DEVELOPMENT COMMISSION, IN ACCORDANCE WITH § 13–611 OF**
12 **THE ECONOMIC DEVELOPMENT ARTICLE; AND**

13 (IV) other programs that serve the following purposes:

14 1. reduction of the use of tobacco products by individuals
15 under the age of 21 years;

16 2. implementation of the Southern Maryland Regional
17 Strategy–Action Plan for Agriculture adopted by the Tri–County Council for Southern
18 Maryland with an emphasis on alternative crop uses for agricultural land now used for
19 growing tobacco;

20 3. public and school education campaigns to decrease tobacco
21 use with initial emphasis on areas targeted by tobacco manufacturers in marketing and
22 promoting cigarette and tobacco products;

23 4. smoking cessation programs;

24 5. enforcement of the laws regarding tobacco sales;

25 6. the purposes of the Maryland Health Care Foundation
26 under Title 20, Subtitle 5 of the Health – General Article;

27 7. primary health care in rural areas of the State and areas
28 targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco
29 products;

1 8. prevention, treatment, and research concerning cancer,
2 heart disease, lung disease, tobacco product use, and tobacco control, including operating
3 costs and related capital projects;

4 9. substance abuse treatment and prevention programs; and

5 10. any other public purpose.

6 (2) The provisions of this subsection may not be construed to affect the
7 Governor’s powers with respect to a request for an appropriation in the annual budget bill.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2022. It shall remain effective for a period of 3 years and, at the end of June 30, 2025,
10 this Act, with no further action required by the General Assembly, shall be abrogated and
11 of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.