

HOUSE BILL 695

C8

3lr2126

By: ~~Delegates Sample–Hughes and Adams~~
Introduced and read first time: February 6, 2023
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 11, 2023

CHAPTER _____

1 AN ACT concerning

2 **Rural Maryland Prosperity Investment Fund – ~~Revisions and Sunset Repeal~~**
3 **Allocation of Grants**
4 **(Rural Communities Improvement Act of 2023)**

5 FOR the purpose of ~~altering certain allocations of disbursements from the Rural Maryland~~
6 ~~Prosperity Investment Fund~~; authorizing the allocation of grants from the Rural
7 Maryland Prosperity Investment Fund for certain business and workforce
8 development activities; ~~requiring the Executive Committee of the Executive Board~~
9 ~~for the Rural Maryland Council to agree to a reallocation of funds between grant~~
10 ~~categories before the Maryland Agricultural Education and Rural Development~~
11 ~~Assistance Board may reallocate the funds; requiring the Governor, beginning in a~~
12 ~~certain fiscal year, to appropriate a certain amount of money to the Fund annually;~~
13 ~~repealing the termination date of certain provisions of law establishing the Fund;~~
14 and generally relating to the Rural Maryland Prosperity Fund.

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 2–207
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2022 Supplement)

20 ~~BY repealing and reenacting, with amendments,~~
21 ~~Chapter 621 of the Acts of the General Assembly of 2006, as amended by Chapters~~
22 ~~469 and 470 of the Acts of the General Assembly of 2014~~
23 ~~Section 2~~

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

3 **Article – State Finance and Procurement**

4 2–207.

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

6 (2) “Agriculture” means the commercial production, storage, processing,
7 marketing, distribution, or export of an agronomic, aquacultural, equine, floricultural,
8 horticultural, ornamental, silvicultural, or viticultural crop, including:

- 9 (i) farm products;
- 10 (ii) livestock and livestock products;
- 11 (iii) poultry and poultry products;
- 12 (iv) milk and dairy products;
- 13 (v) timber and forest products;
- 14 (vi) fruit and horticultural products; and
- 15 (vii) seafood and aquacultural products.

16 (3) “Board” means the Maryland Agricultural Education and Rural
17 Development Assistance Board established under § 2–206(e) of this subtitle.

18 (4) **“COOPERATIVE DEVELOPMENT” MEANS ACTIVITIES TO SUPPORT**
19 **THE CREATION OR GROWTH OF A BUSINESS COOPERATIVE, INCLUDING SUPPORT**
20 **FOR:**

- 21 **(I) BUSINESS FEASIBILITY STUDIES;**
- 22 **(II) INDUSTRY STUDIES;**
- 23 **(III) MARKET STUDIES;**
- 24 **(IV) THE ESTABLISHMENT OF BUSINESS ENTITIES; AND**
- 25 **(V) ADMINISTRATION OF THE BUSINESS COOPERATIVE.**

1 [(4)] (5) “Council” means the Rural Maryland Council established under
2 Title 13, Subtitle 4 of the Economic Development Article.

3 ~~(6) “EXECUTIVE BOARD” MEANS THE EXECUTIVE BOARD~~
4 ~~ESTABLISHED UNDER § 13-407 OF THE ECONOMIC DEVELOPMENT ARTICLE FOR~~
5 ~~THE COUNCIL.~~

6 ~~(7) “EXECUTIVE COMMITTEE” MEANS THE EXECUTIVE COMMITTEE~~
7 ~~OF THE EXECUTIVE BOARD, AS ESTABLISHED IN THE BYLAWS OF THE COUNCIL.~~

8 [(5)] (8) (6) “Fund” means the Rural Maryland Prosperity Investment Fund
9 established under this section.

10 ~~[(6)] (9) (7)~~ “Regional councils” means:

- 11 (i) the Mid-Shore Regional Council;
- 12 (ii) the Tri-County Council for the Lower Eastern Shore of
13 Maryland;
- 14 (iii) the Tri-County Council for Southern Maryland;
- 15 (iv) the Tri-County Council for Western Maryland; and
- 16 (v) the Upper Shore Regional Council.

17 ~~[(7)] (10) (8)~~ “Rural area” means:

- 18 (i) the following counties:
 - 19 1. Allegany;
 - 20 2. Calvert;
 - 21 3. Caroline;
 - 22 4. Carroll;
 - 23 5. Cecil;
 - 24 6. Charles;
 - 25 7. Dorchester;
 - 26 8. Frederick;

HOUSE BILL 695

- 1 9. Garrett;
- 2 10. Harford;
- 3 11. Kent;
- 4 12. Queen Anne’s;
- 5 13. St. Mary’s;
- 6 14. Somerset;
- 7 15. Talbot;
- 8 16. Washington;
- 9 17. Wicomico; and
- 10 18. Worcester; and

11 (ii) portions of other counties in close proximity to agricultural
12 activity.

13 ~~[(8)]~~ ~~(11)~~ **(9)** “Rural community” means an incorporated or unincorporated
14 area of a county or group of counties in a rural area.

15 ~~(12)~~ **(10)** “**WORKFORCE DEVELOPMENT**” MEANS ACTIVITIES TO:

16 **(I) ASSIST WORKERS WITH OBTAINING TRAINING IN THE**
17 **NECESSARY SKILLS REQUIRED BY LOCAL EMPLOYERS; AND**

18 **(II) ASSIST COMMUNITY COLLEGES, CAREER AND TECHNICAL**
19 **EDUCATION CENTERS, LOCAL WORKFORCE BOARDS, AND SIMILAR ORGANIZATIONS**
20 **WITH EFFORTS TO PROVIDE TRAINING PROGRAMS CONSISTENT WITH ITEM (I) OF**
21 **THIS PARAGRAPH.**

22 (b) The General Assembly finds that:

23 (1) many rural communities in the State face a host of difficult challenges
24 relating to persistent unemployment and poverty, changing technological and economic
25 conditions, an aging population and an out-migration of youth, inadequate access to quality
26 housing, health care and other services, and deteriorating or inadequate transportation,
27 communications, sanitation, and economic development infrastructure;

28 (2) Maryland’s agricultural and resource-based industries continue to
29 underpin the local economies of rural communities but are increasingly under threat from

1 national and international market competition, urban encroachment and land development
2 pressure, and environmental and regulatory influences;

3 (3) local governments, regional organizations, educational institutions,
4 and private sector service providers have been unable to meet all the economic
5 development, community development, health care, and human services needs of Maryland
6 residents in the rural counties and municipal corporations because of a lack of adequate
7 available capacity and resources;

8 (4) the objective of the Rural Maryland Prosperity Investment Fund is to
9 help raise the overall standard of living in rural areas to a level that meets or exceeds
10 statewide benchmark averages ~~by 2030,~~ while preserving the best aspects of a pastoral
11 heritage and rural way of life;

12 (5) resources provided to the Fund are designed to facilitate significant
13 targeted investments in important economic, health care, and community development
14 programs and promote regional and intergovernmental cooperation;

15 (6) these investments will also enable local and regional public and
16 nonprofit organizations to leverage additional nonstate financial and human resources to
17 facilitate the realization of sustainable rural development objectives while the program is
18 in effect; and

19 (7) the Fund will serve the interests of the entire State by:

20 (i) encouraging the increase of entrepreneurial activity and
21 commerce and a balanced economy in the State;

22 (ii) relieving conditions of unemployment and underemployment in
23 rural areas;

24 (iii) assisting in the retention of valuable farm and forest land for
25 productive use by present and future generations;

26 (iv) promoting intergovernmental cooperation and public
27 sector/private sector partnerships in and between rural and other areas;

28 (v) enhancing the deployment of housing, transportation, water,
29 wastewater, and broadband communications infrastructure and services in rural areas;

30 (vi) supporting rural commercial center redevelopment and
31 community revitalization efforts; and

32 (vii) generally promoting the health, happiness, safety, employment
33 opportunity, and general welfare of the residents of each of the rural counties and
34 municipal corporations of the State.

1 (c) (1) There is a Rural Maryland Prosperity Investment Fund.

2 (2) The Fund is administered by the Rural Maryland Council with the
3 assistance of the Board.

4 (3) The purpose of the Fund is to provide funding to rural regional and
5 statewide planning and development organizations, institutions of higher education
6 serving rural communities, rural community development organizations, and local
7 governments acting in partnership with one another to promote the quality of life in rural
8 areas.

9 (d) ~~(1)~~ Each year, beginning in fiscal year 2008 and continuing through fiscal
10 year ~~{2030}~~ ~~2024~~, the Governor may include an appropriation in the budget bill for the
11 Fund.

12 ~~(2) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER,~~
13 ~~THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION~~
14 ~~OF AT LEAST \$1,000,000 TO THE FUND, TO BE USED FOR THE DISBURSEMENTS~~
15 ~~REQUIRED UNDER SUBSECTION (F)(2) OF THIS SECTION.~~

16 (e) (1) The Fund is a special, nonlapsing fund that is not subject to reversion
17 under § 7-302 of this article.

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

20 (3) The Treasurer may invest money in the Fund in the same manner as
21 other State money may be invested.

22 (f) (1) Except as provided in paragraph (2) of this subsection, disbursements
23 of money appropriated to the Fund shall be allocated in the following manner:

24 (i) one-third shall be allocated equally to the five regional councils
25 as grants for rural regional planning and development assistance, by targeting support to
26 the:

27 1. regional councils serving rural areas; and

28 2. multicounty efforts serving rural communities in areas not
29 served by the regional councils; and

30 (ii) the remaining two-thirds shall be allocated equally as grants
31 among the following categories:

1 1. regional infrastructure projects that directly involve two
2 or more units of local government, not to exceed one-fourth of the total cost of any
3 particular project;

4 2. rural entrepreneurship AND AGRICULTURAL
5 development, including:

6 A. programs and activities serving rural communities
7 undertaken by nonprofit organizations and institutions of higher education;

8 B. **COOPERATIVE DEVELOPMENT; AND**

9 C. **WORKFORCE DEVELOPMENT;**

10 3. rural community development, programmatic assistance,
11 and education, with money to be divided equally between the Council and the Maryland
12 Agricultural Education and Rural Development Assistance Fund; and

13 4. rural health care organizations.

14 (2) If in any fiscal year revenues appropriated to the Fund are insufficient
15 to fully fund all grants under paragraph (1) of this subsection, disbursements of money
16 appropriated to the Fund shall be allocated as follows:

17 (i) ~~[\$500,000]~~ ~~\$1,000,000~~ shall be allocated to the Council, of
18 which:

19 1. ~~[\$250,000]~~ ~~\$750,000~~ shall be used to support the
20 operations of the Council; and

21 2. \$250,000 shall be allocated to the Maryland Agricultural
22 Education and Rural Development Assistance Fund established under § 2-206 of this
23 subtitle; and

24 (ii) the remaining disbursements of money appropriated to the Fund
25 shall be allocated in the manner described in paragraph (1) of this subsection.

26 (g) (1) Any money received by a regional council under subsection (f)(1)(i) of
27 this section shall be used to benefit rural areas as the regional council determines.

28 (2) (i) Subject to subparagraph (ii) of this paragraph, the Board shall
29 award grants from the Fund under subsection (f)(1)(ii) of this section on a competitive basis
30 in accordance with the procedures in § 2-206(e) of this subtitle.

1 (ii) Any money received by the Council under subsection (f)(1)(ii) of
 2 this section shall be used to help administer the Fund and perform other functions that
 3 benefit rural areas as the Council determines.

4 (3) A grant recipient shall submit to the Council written documentation of
 5 how the grant recipient spent or otherwise used the grant.

6 (h) The Board may reallocate money from one category listed in subsection
 7 (f)(1)(ii) of this section to another category only if:

8 ~~(1) there is a lack of sufficient applications requesting use of money in a~~
 9 ~~particular category; AND~~

10 ~~(2) THE EXECUTIVE COMMITTEE CONCURS WITH THE~~
 11 ~~REALLOCATION.~~

12 (i) (1) On or before October 1 of each year, the Council shall submit a report
 13 to the Governor and, in accordance with § 2-1257 of the State Government Article, the
 14 General Assembly.

15 (2) The report shall summarize the activities of the Fund during the
 16 preceding fiscal year, including:

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

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

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

20 (iv) documentation of how the grant recipient spent or otherwise
 21 used the grant.

22 ~~Chapter 621 of the Acts of 2006, as amended by Chapters 469 and 470 of the Acts~~
 23 ~~of 2014~~

24 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
 25 ~~1, 2006. [It shall remain effective for a period of 24 years and, at the end of June 30, 2030,~~
 26 ~~with no further action required by the General Assembly, this Act shall be abrogated and~~
 27 ~~of no further force and effect.]~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 29 October 1, 2023.