

Chapter 354

(Senate Bill 14)

AN ACT concerning

Sustainable Maryland Program and Fund – Establishment

FOR the purpose of establishing the Sustainable Maryland Program; *establishing the Sustainable Maryland Program* Fund as a special, nonlapsing fund to expand and enhance Sustainable Maryland’s promotion and support of communities in Maryland in the effort to realize environmental, economic, and social sustainability; requiring interest earnings of the Fund to be credited to the Fund; and generally relating to the Sustainable Maryland Program and Fund.

BY adding to

Article – Education

Section 13–105

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2021 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)144. and 145.

Annotated Code of Maryland

(2021 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)146.

Annotated Code of Maryland

(2021 Replacement Volume)

Preamble

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

WHEREAS, Sustainable Maryland, a program of the Environmental Finance Center at the University of Maryland, College Park Campus, supports the mission and priorities

of State agencies by coordinating access to the full suite of State programs and resources that can support communities to enhance and expand local economies, infrastructure, and stewardship; and

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

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

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

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

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

Article – Education

13–105.

~~(A) IN THIS SECTION, “FUND” MEANS THE SUSTAINABLE MARYLAND PROGRAM FUND.~~

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

(2) “FUND” MEANS THE SUSTAINABLE MARYLAND PROGRAM FUND.

(3) “PROGRAM” MEANS THE SUSTAINABLE MARYLAND PROGRAM.

(B) (1) THERE IS A SUSTAINABLE MARYLAND PROGRAM.

(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE RESEARCH, ACCESS TO RESOURCES, TECHNICAL ASSISTANCE, AND CERTIFICATION PROGRAMS FOR MUNICIPALITIES TO INCREASE SUSTAINABILITY, PROTECT ENVIRONMENTAL WELL-BEING, AND ENSURE ECONOMIC VITALITY.

(3) IN CARRYING OUT THE POWERS AND DUTIES GRANTED UNDER THIS SECTION, THE PROGRAM SHALL WORK IN CONSULTATION AND COLLABORATION WITH INSTITUTIONS AND ORGANIZATIONS IN THE STATE, INCLUDING:

(I) THE ENVIRONMENTAL FINANCE CENTER AT THE UNIVERSITY OF MARYLAND;

(II) THE SCHOOL OF ARCHITECTURE, PLANNING, AND PRESERVATION AT THE UNIVERSITY OF MARYLAND; AND

(III) THE MARYLAND MUNICIPAL LEAGUE.

~~(B)~~ **(C)** THERE IS A SUSTAINABLE MARYLAND PROGRAM FUND.

~~(C)~~ **(D)** THE PURPOSE OF THE FUND IS TO EXPAND AND ENHANCE SUSTAINABLE MARYLAND’S PROMOTION AND SUPPORT OF COMMUNITIES IN THE STATE IN THE EFFORT TO REALIZE ENVIRONMENTAL, ECONOMIC, AND SOCIAL SUSTAINABILITY.

~~(D)~~ **(E)** THE UNIVERSITY OF MARYLAND ENVIRONMENTAL FINANCE CENTER SHALL ADMINISTER THE FUND.

~~(E)~~ **(F)** (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)~~ **(G)** THE FUND CONSISTS OF:

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

(2) INTEREST EARNINGS; AND

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

~~(G)~~ **(H)** THE FUND MAY BE USED ONLY FOR:

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

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

(I) AN ANNUAL SUSTAINABILITY CONFERENCE;

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

(III) SUSTAINABLE MARYLAND GREEN TEAM ROADSHOWS;

(3) DEVELOPING AND EXPANDING THE SUSTAINABLE MARYLAND PROGRAM;

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

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

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

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

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

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

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

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

~~(K)~~ **(L) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF ~~\$750,000~~ \$500,000 TO THE FUND.**

Article – State Finance and Procurement

6-226.

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

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

144. the Health Equity Resource Community Reserve Fund;
[and]

145. the Access to Counsel in Evictions Special Fund; AND

146. THE SUSTAINABLE MARYLAND PROGRAM FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Approved by the Governor, May 16, 2022.