

# SENATE BILL 737

F2, M3

0lr3264  
CF 0lr2549

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By: **Senator Elfreth**

Introduced and read first time: February 3, 2020

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

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## A BILL ENTITLED

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)

24 BY repealing and reenacting, with amendments,  
25 Article – State Finance and Procurement  
26 Section 6–226(a)(2)(ii) 121. and 122.  
27 Annotated Code of Maryland  
28 (2015 Replacement Volume and 2019 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – State Finance and Procurement  
3 Section 6–226(a)(2)(ii)123.  
4 Annotated Code of Maryland  
5 (2015 Replacement Volume and 2019 Supplement)

6 Preamble

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

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

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

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

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

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

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

30 **Article – Education**

31 **13–105.**

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

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

(C) 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) THE UNIVERSITY OF MARYLAND ENVIRONMENTAL FINANCE CENTER 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;

(2) INTEREST EARNINGS; 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) 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

1 STRATEGIES AND ACTIONS;

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

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

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

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

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

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

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

18 (K) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE  
19 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF  
20 \$750,000 TO THE FUND.

21 Article – State Finance and Procurement

22 6–226.

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

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

31 121. the Markell Hendricks Youth Crime Prevention and  
32 Diversion Parole Fund; [and]

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

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
5   1, 2020.