

SENATE BILL 541

M1, B5

2lr1782
CF 2lr1781

By: **Senators Elfreth, Hester, Zucker, Augustine, Bailey, Beidle, Corderman, Eckardt, Edwards, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hettleman, Jackson, King, Klausmeier, Kramer, Lam, Patterson, Pinsky, Ready, Rosapepe, Sydnor, Waldstreicher, Washington, West, and Young**

Introduced and read first time: January 28, 2022

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

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Maryland Park Service and State Parks – Alterations**
3 **(Great Maryland Outdoors Act)**

4 FOR the purpose of repealing the Park Advisory Commission in the Department of Natural
5 Resources and establishing the Parks and Recreation Commission in the
6 Department of Natural Resources to provide oversight of the Maryland Park Service;
7 addressing infrastructure, capacity, and accessibility needs within the Maryland
8 Park Service and State parks, including establishing systems and processes for
9 surveying infrastructure and critical maintenance needs, increasing the number of
10 Maryland Park Service full-time employees, requiring the Department of Budget
11 and Management to conduct certain staff reviews, requiring the Department of
12 Natural Resources to develop a certain capital improvement plan and a
13 comprehensive long-range strategic plan for the Park Service, requiring the
14 Department of Legislative Services to hire an independent consultant to study
15 certain aspects of the Maryland Park Service and State parks, requiring the
16 Department of Natural Resources to adopt certain design principles and make
17 certain considerations relating to the accessibility, inclusivity, and location of State
18 parks, and establishing the Freedman's State Historical Park; establishing the Park
19 System Critical Maintenance Fund as a special, nonlapsing fund to provide funding
20 for certain critical maintenance projects; requiring interest earnings of the Park
21 System Critical Maintenance Fund to be credited to the Fund; establishing the Park
22 System Capital Improvements and Acquisition Fund as a special, nonlapsing fund
23 to provide funding for certain capital improvement projects and the acquisition of
24 certain land; requiring interest earnings of the Park System Capital Improvements
25 and Acquisition Fund to be credited to the Fund; requiring the Governor, for a certain
26 fiscal year, to include in the annual budget bill an appropriation of a certain amount
27 to the Rural Legacy Program, the Park System Critical Maintenance Fund, the Park
28 System Capital Improvements and Acquisition Fund, the Maryland Agricultural

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Land Preservation Fund, and the Maryland Agricultural and Resource-Based Industry Development Corporation; and generally relating to the Maryland Park Service.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–204 and 5–9A–01
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY adding to
Article – Natural Resources
Section 5–210.1, 5–220, and 5–221; 5–2A–01 through 5–2A–05 to the under the new
subtitle “Subtitle 2A. Maryland Park Service”; and 5–1012
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–505(a) and (b)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

BY adding to
Article – Agriculture
Section 2–505(i)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–501(a) and (f)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523(a)
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)

1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(ii)144. and 145. and 13–109
4 Annotated Code of Maryland
5 (2021 Replacement Volume)

6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(ii)146. and 147.
9 Annotated Code of Maryland
10 (2021 Replacement Volume)

11 BY repealing and reenacting, with amendments,
12 Article – Tax – Property
13 Section 13–209(g)
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2021 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Labor and Employment
18 Section 9–207 and 9–503
19 Annotated Code of Maryland
20 (2016 Replacement Volume and 2021 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Tax – General
23 Section 10–209
24 Annotated Code of Maryland
25 (2016 Replacement Volume and 2021 Supplement)

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

28 **Article – Natural Resources**

29 5–204.

30 (a) (1) There is a Sustainable Forestry Council in the Department.

31 (2) The purpose of the Council is to advise the Department on all matters
32 related to:

33 (i) Sustainable forestry management in the State;

34 (ii) The expenditure of funds from the Mel Noland Woodland
35 Incentives Fund under § 5–307 of this title;

(iii) Existing regulatory and statutory policies that are perceived as economic barriers to a viable forest products industry;

(iv) New markets to enhance forest health, including renewable energy development through biomass energy, to offset fossil fuel consumption and reduce greenhouse gas emissions;

(v) Creative strategies to help privately owned forest lands better compete with real estate market values that are driving forest conversion and fragmentation;

(vi) The means to promote forest-based economies and processing capability that contribute to economic and employment growth; and

(vii) Assigning a nutrient efficiency benefit to forest stewardship plans and other forest conservation management plans that can be measurably tracked and reported by the number of forested acres covered by the plans.

(b) [There is a Park Advisory Commission in the Department.

(c)] (1) The Sustainable Forestry Council shall have 9 members.

(2) Members of the Council shall be appointed by the Governor, with the advice of the Secretary, to serve at the pleasure of the Governor.

[(d) (1) The Park Advisory Commission shall have 12 members.

(2) Members of the Park Advisory Commission shall be appointed by the Governor, with the advice of the Secretary, to serve at the pleasure of the Governor.]

5-210.1.

(A) THE DEPARTMENT SHALL COORDINATE WITH THE DEPARTMENT OF GENERAL SERVICES TO:

(1) DEVELOP AN ELECTRONIC ASSET MANAGEMENT SYSTEM FOR ITS INFRASTRUCTURE, INCLUDING:

(I) A LIST OF MAINTENANCE PROJECTS AT EACH SITE; AND

(II) THE STATUS OF EACH MAINTENANCE PROJECT;

(2) DEVELOP A FACILITY CONDITION INDEX ASSESSMENT PROCESS FOR ALL PARK SERVICE SITES, MODELED AFTER THE NATIONAL PARK SERVICE'S FACILITY CONDITION INDEX; AND

1 **(3) ESTABLISH A DEDICATED ASSET EVALUATION TEAM TO:**

2 **(I) ASSESS THE CONDITION OF MARYLAND PARK SERVICE**
3 **SITES; AND**

4 **(II) UPDATE INDIVIDUAL FACILITY CONDITION INDICES ON AN**
5 **ONGOING BASIS.**

6 **(B) WHEN DETERMINING WHETHER TO REPAIR OR REPLACE**
7 **INFRASTRUCTURE WITH SUSTAINABLE TECHNOLOGY, THE DEPARTMENT SHALL**
8 **CONSIDER HOW THE REPLACEMENT VALUE OF AN ASSET WILL CHANGE IF ONLY**
9 **SUSTAINABLE TECHNOLOGY IS USED, INCLUDING ANY ONGOING COST SAVINGS.**

10 **(C) (1) THE DEPARTMENT SHALL:**

11 **(I) TAKE INVENTORY OF ALL STATE LAND MANAGED BY THE**
12 **DEPARTMENT, INCLUDING:**

13 **1. ACREAGE;**

14 **2. ANY STRUCTURES ON EACH PROPERTY; AND**

15 **3. THE USE OF EACH PROPERTY;**

16 **(II) DEVELOP A MAINTENANCE PROJECT PRIORITIZATION**
17 **PROCESS MODELED AFTER THE NATIONAL PARK SERVICE'S ASSET PRIORITY**
18 **INDEX; AND**

19 **(III) DEVELOP AND PUBLISH ON ITS WEBSITE A LIST OF**
20 **MAINTENANCE PROJECTS IN EVERY UNIT OF THE STATE PARK SYSTEM THAT ARE**
21 **EXPECTED TO COST MORE THAN \$25,000.**

22 **(2) (I) THE DEPARTMENT SHALL CONDUCT A SYSTEMWIDE**
23 **SURVEY OF HISTORICAL AND CULTURAL RESOURCES, INCLUDING AN ESTIMATION**
24 **OF RESTORATION AND MAINTENANCE COSTS.**

25 **(II) THE DEPARTMENT MAY NOT DELAY THE PRESERVATION**
26 **AND RESTORATION OF HISTORICAL AND CULTURAL RESOURCES WHILE**
27 **CONDUCTING THE SYSTEMWIDE SURVEY.**

28 **5-220.**

1 (A) IN THIS SECTION, "FUND" MEANS THE PARK SYSTEM CRITICAL
2 MAINTENANCE FUND.

3 (B) THERE IS A PARK SYSTEM CRITICAL MAINTENANCE FUND.

4 (C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR COMPLETING
5 STATE PROJECTS THAT ADDRESS CRITICAL MAINTENANCE CONCERNS ON LANDS
6 MANAGED BY THE DEPARTMENT FOR PUBLIC PURPOSES.

7 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

8 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
9 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

10 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
11 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

12 (F) THE FUND CONSISTS OF:

13 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 13-209(G) OF THE
14 TAX – PROPERTY ARTICLE;

15 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

16 (3) INTEREST EARNINGS; AND

17 (4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
18 THE BENEFIT OF THE FUND.

19 (G) THE FUND MAY BE USED ONLY FOR STATE PROJECTS THAT ADDRESS
20 CRITICAL MAINTENANCE CONCERNS ON LANDS MANAGED BY THE DEPARTMENT
21 FOR PUBLIC PURPOSES.

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

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

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

(J) MONEY EXPENDED FROM THE FUND FOR CRITICAL MAINTENANCE IN THE STATE'S PARKS IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR CRITICAL MAINTENANCE IN THE STATE'S PARKS.

(K) (1) FOR FISCAL YEAR 2024 ONLY, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$80,000,000 TO THE FUND FOR STATE PROJECTS THAT ADDRESS CRITICAL MAINTENANCE CONCERNS ON LANDS MANAGED BY THE DEPARTMENT FOR PUBLIC PURPOSES.

(2) THE DEPARTMENT SHALL EXPEND THE FUNDS ALLOCATED UNDER THIS SUBSECTION BEFORE JULY 1, 2026.

5-221.

(A) IN THIS SECTION, "FUND" MEANS THE PARK SYSTEM CAPITAL IMPROVEMENTS AND ACQUISITION FUND.

(B) THERE IS A PARK SYSTEM CAPITAL IMPROVEMENTS AND ACQUISITION FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR:

(1) COMPLETING STATE PROJECTS RELATED TO CAPITAL IMPROVEMENTS ON LANDS MANAGED BY THE DEPARTMENT FOR PUBLIC PURPOSES; AND

(2) ACQUIRING LAND TO BE MANAGED BY THE DEPARTMENT FOR PUBLIC PURPOSES.

(D) THE SECRETARY 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) COMPLETING STATE PROJECTS RELATED TO CAPITAL IMPROVEMENTS ON LANDS MANAGED BY THE DEPARTMENT FOR PUBLIC PURPOSES; AND

(2) ACQUIRING LAND TO BE MANAGED BY THE DEPARTMENT FOR PUBLIC PURPOSES.

(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 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) MONEY EXPENDED FROM THE FUND FOR CAPITAL IMPROVEMENTS IN THE STATE'S PARKS IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR CAPITAL IMPROVEMENTS IN THE STATE'S PARKS AND THE ACQUISITION OF LAND BY THE DEPARTMENT THAT WILL BE MANAGED FOR PUBLIC PURPOSES.

(K) FOR FISCAL YEAR 2024 ONLY, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$70,000,000 TO THE FUND TO BE USED AS FOLLOWS:

(1) \$5,000,000 FOR INFRASTRUCTURE PROJECTS THAT MITIGATE THE EFFECTS OF CLIMATE CHANGE, INCLUDING:

(I) FLOOD BARRIERS;

(II) FOREST BUFFERS;

(III) GREEN SPACES;

(IV) BUILDING ELEVATION;

(V) STORMWATER INFRASTRUCTURE; AND

(VI) WETLANDS RESTORATION;

(2) \$5,000,000 FOR HISTORIC PRESERVATION;

(3) \$20,000,000 FOR TRANSPORTATION IMPROVEMENTS,
INCLUDING:

(I) IMPROVING BIKE LANES AND TRAILS, INCREASING
WALKABILITY, AND EXPANDING PARKING AVAILABILITY; AND

(II) TARGETING TRANSPORTATION INVESTMENTS TO AVOID
CAPACITY SHUTDOWNS;

(4) \$10,000,000 FOR INCREASING WATER ACCESS, INCLUDING KAYAK
AND BOAT LAUNCHES AND AREAS FOR PICNICKING NEAR WATER AND SWIMMING;
AND

(5) \$30,000,000 FOR LAND ACQUISITION, INCLUDING:

(I) AREAS IN THE CENTRAL AND SOUTHERN REGIONS OF THE
STATE THAT WILL:

1. RELIEVE OVERCROWDING AT EXISTING STATE
PARKS; AND

2. EXPAND PUBLIC ACCESS TO STATE PARKS AND
OUTDOOR RECREATION;

(II) SITES WITH HISTORICAL SIGNIFICANCE TO MINORITY
COMMUNITIES; AND

(III) BEACHFRONT OR WATERFRONT PROPERTY FOR PUBLIC
ACCESS.

SUBTITLE 2A. MARYLAND PARK SERVICE.

5-2A-01.

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

(B) "COMMISSION" MEANS THE PARKS AND RECREATION COMMISSION.

(C) "PARK SERVICE" MEANS THE MARYLAND PARK SERVICE.

5-2A-02.

(A) (1) ON OR BEFORE JULY 1, 2024, THE DEPARTMENT SHALL INCREASE THE NUMBER OF FULL-TIME EMPLOYEES IN THE PARK SERVICE BY 100 PERMANENT, CLASSIFIED POSITIONS.

(2) EACH STAFF POSITION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ACCOMPANIED BY A SUPPLEMENTAL BUDGET ALLOCATION TO PROVIDE ADEQUATE SUPPORT FOR EACH EMPLOYEE.

(3) THE STAFF POSITIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) FIVE POSITIONS IN THE ENGINEERING AND CONSTRUCTION UNIT;

(II) FIVE POSITIONS IN THE LAND ACQUISITION AND PLANNING UNIT; AND

(III) ONE VOLUNTEER MANAGEMENT PROGRAM COORDINATOR.

(B) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL:

(I) CONDUCT A STAFF ADEQUACY REVIEW OF THE PARK SERVICE EVERY 2 YEARS; AND

(II) REPORT ITS FINDINGS TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(2) AS A PART OF THE REPORT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL CONSIDER STAFFING GOALS FOR THE PARK SERVICE.

(C) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL:

(I) CONDUCT A STAFF SALARY REVIEW OF THE PARK SERVICE EVERY 3 YEARS; AND

(II) REPORT ITS FINDINGS TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(2) THE SALARY REVIEW REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL FOCUS ON THE GOALS OF IMPROVING:

(I) HIRING BY COMPENSATING PARK SERVICE EMPLOYEES AT A LEVEL COMMENSURATE WITH:

1. LOCAL PARK SYSTEMS;

2. THE NATIONAL PARK SERVICE; AND

3. FOR PARK SERVICE MAINTENANCE PERSONNEL WHO PERFORM SKILLED AND LICENSED TRADE FUNCTIONS, THE PRIVATE SECTOR; AND

(II) RETENTION BY PROMOTING UPWARD MOBILITY WITHIN A JOB SERIES.

(D) THE DEPARTMENT SHALL RECOGNIZE PARK SERVICE ASSOCIATES AND FOREST RANGERS, PARK RANGERS, AND WILDLIFE RANGERS AS EMERGENCY SERVICES PERSONNEL.

(E) (1) (I) THE DEPARTMENT SHALL IMPLEMENT A VOLUNTEER MANAGEMENT PROGRAM TO STRATEGICALLY MANAGE VOLUNTEER SERVICES PROVIDED BY INDIVIDUALS AND STATE PARKS FRIENDS GROUPS.

(II) THE VOLUNTEER MANAGEMENT PROGRAM IMPLEMENTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE MODELED ON THE NATIONAL PARK SERVICE'S VOLUNTEERS-IN-PARKS PROGRAM.

(2) THE VOLUNTEER MANAGEMENT PROGRAM SHALL BE MANAGED BY A VOLUNTEER PROGRAM MANAGER DEDICATED TO OVERSEEING THE VOLUNTEER MANAGEMENT PROGRAM.

(3) THE VOLUNTEER PROGRAM MANAGER SHALL:

(I) CONDUCT ANNUAL TRAINING FOR STAFF AND VOLUNTEERS;

(II) DEVELOP AND PROMOTE VOLUNTEER OPPORTUNITIES;

(III) PERFORM AUDITS, EVALUATIONS, AND MONITORING TO DETERMINE THE EFFICACY OF THE VOLUNTEER MANAGEMENT PROGRAM; AND

(IV) DEVELOP AN ANNUAL REPORT ON VOLUNTEER STATISTICS AND IMPACTS.

(F) THE DEPARTMENT SHALL EXPAND ITS WORK WITH PARK-FOCUSED ORGANIZATIONS TO LEVERAGE CHARITABLE FUNDING FOR PARK ENHANCEMENTS.

5-2A-03.

(A) (1) THERE IS A PARKS AND RECREATION COMMISSION IN THE DEPARTMENT.

(2) THE PURPOSE OF THE COMMISSION IS TO PROVIDE OVERSIGHT OF THE PARK SERVICE.

(B) THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

(1) A CHAIR, APPOINTED JOINTLY BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE;

(2) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(3) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE; AND

(4) FOUR MEMBERS, APPOINTED BY THE GOVERNOR, WHO REFLECT THE RACIAL, GENDER, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

(C) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE STAFF FOR THE COMMISSION.

(D) THE DEPARTMENT SHALL ANNUALLY PROVIDE THE COMMISSION WITH A BRIEFING ON THE STATUS OF THE PARK SERVICE AND PARK SYSTEM, INCLUDING:

(1) THE NUMBER OF ANNUAL CAPACITY CLOSURES, LISTED BY LOCATION;

(2) THE CRITICAL MAINTENANCE BACKLOG;

(3) VACANT STAFF POSITIONS; AND

1 **(4) ANY OTHER INFORMATION:**

2 **(I) RELATED TO THE FUNCTIONING OF THE PARK SERVICE; OR**

3 **(II) REQUESTED BY THE MEMBERS OF THE COMMISSION.**

4 **(E) THE COMMISSION SHALL MEET QUARTERLY TO REVIEW THE STATUS OF**
5 **THE PARK SERVICE.**

6 **(F) (1) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1**
7 **THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT TO THE SENATE BUDGET**
8 **AND TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND**
9 **ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS**
10 **COMMITTEE, AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE**
11 **IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

12 **(2) THE REPORT SUBMITTED UNDER PARAGRAPH (1) OF THIS**
13 **SUBSECTION SHALL INCLUDE THE COMMISSION'S:**

14 **(I) FINDINGS ON THE STATUS OF THE PARK SERVICE; AND**

15 **(II) RECOMMENDATIONS ON HOW THE GENERAL ASSEMBLY**
16 **CAN SUPPORT THE PARK SERVICE.**

17 **5-2A-04.**

18 **(A) (1) ON OR BEFORE DECEMBER 1, 2023, AND EVERY 5 YEARS**
19 **THEREAFTER, THE DEPARTMENT SHALL DEVELOP AND PUBLISH A 5-YEAR CAPITAL**
20 **IMPROVEMENT PLAN FOR THE PARK SERVICE.**

21 **(2) IN DEVELOPING THE CAPITAL IMPROVEMENT PLAN, THE**
22 **DEPARTMENT SHALL, IN COORDINATION WITH THE COMMISSION, ANNUALLY HOLD**
23 **AT LEAST ONE PUBLIC HEARING WITH THE OPPORTUNITY FOR PUBLIC COMMENT.**

24 **(3) THE 5-YEAR CAPITAL IMPROVEMENT PLAN SHALL INCLUDE:**

25 **(I) A LIST OF ALL OUTSTANDING CRITICAL MAINTENANCE**
26 **PROJECTS AND THE PROJECTED COST OF EACH PROJECT;**

27 **(II) A PRIORITIZATION OF CRITICAL MAINTENANCE PROJECTS**
28 **AND AN EXPLANATION OF THE PROCESS FOR PRIORITIZING THE PROJECTS; AND**

1 (III) SCORING AND RANKING FOR EACH CRITICAL MAINTENANCE
2 PROJECT, AS DETERMINED BY THE PRIORITIZATION PROCESS.

3 (4) THE 5-YEAR CAPITAL IMPROVEMENT PLAN SHALL INCLUDE THE
4 INFORMATION REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION
5 DISAGGREGATED BY REGION.

6 (B) (1) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL HIRE AN
7 INDEPENDENT CONSULTANT TO CONDUCT AN INDEPENDENT STUDY OF:

8 (I) WHETHER THE PARK SERVICE IS PRODUCING OUTCOMES
9 CONSISTENT WITH ITS MISSION;

10 (II) THE VISITOR EXPERIENCE FOR STATE PARKS, INCLUDING:

11 1. PARKING AVAILABILITY;

12 2. CLEANLINESS; AND

13 3. WHETHER FACILITIES, AMENITIES, OR AREAS ARE
14 CLOSED, INCLUDING WHETHER THE CLOSURES ARE DUE TO DEFERRED
15 MAINTENANCE; AND

16 (III) HOW FUNDING CAN BE USED TO ENABLE THE PARK
17 SERVICE TO PRODUCE OUTCOMES CONSISTENT WITH ITS MISSION.

18 (2) ON OR BEFORE DECEMBER 1, 2023, THE INDEPENDENT
19 CONSULTANT SHALL SUBMIT A REPORT ON ITS FINDINGS AND RECOMMENDATIONS
20 TO THE COMMISSION.

21 (C) THE DEPARTMENT SHALL:

22 (1) RECOGNIZE AS A FORMAL POLICY THAT THE STATE'S FORESTS,
23 TREES, AND WETLANDS ARE A MAJOR TOOL FOR ADDRESSING CLIMATE CHANGE
24 WITH REGARD TO MITIGATION, ADAPTATION, AND RESILIENCY; AND

25 (2) REQUIRE ALL PARK SERVICE PROJECTS TO CONTRIBUTE, TO THE
26 EXTENT POSSIBLE, TO THE IMPROVEMENT OF LOCAL WATER QUALITY.

27 (D) (1) THE PARK SERVICE SHALL ADOPT UNIVERSAL DESIGN
28 PRINCIPLES IN ITS PROGRAMMING AND AMENITIES TO ENSURE MAXIMUM ACCESS
29 BY ALL PEOPLE, INCLUDING PEOPLE WITH DISABILITIES AND SENIORS.

1 **(2) TO ENSURE ACCESSIBILITY FOR INDIVIDUALS WHO ARE DEAF,**
2 **BLIND, OR BOTH, THE PARK SERVICE WEBSITE AND ALL OTHER DIGITAL OUTREACH**
3 **PLATFORMS SHALL ADHERE TO WEB CONTENT ACCESSIBILITY GUIDELINES 2.1**
4 **AND SECTION 508 OF THE AMERICANS WITH DISABILITIES ACT.**

5 **(E) (1) THE DEPARTMENT’S DECISIONS RELATED TO THE LOCATION AND**
6 **ESTABLISHMENT OF NEW STATE PARKS OR AMENITIES SHALL TARGET AREAS:**

7 **(I) IDENTIFIED BY THE DEPARTMENT’S PARK EQUITY TOOL AS**
8 **IN NEED OF RECREATIONAL OPPORTUNITIES; OR**

9 **(II) THAT WOULD RELIEVE OVERCROWDING IN EXISTING STATE**
10 **PARKS THAT HAVE CONSISTENTLY HAD TO CLOSE TO THE PUBLIC DUE TO CAPACITY**
11 **RESTRICTIONS.**

12 **(2) THE DEPARTMENT SHALL CONSIDER THE CULTURAL AND**
13 **ECOLOGICAL CARRYING CAPACITIES OF STATE PARK AREAS WHEN EXAMINING THE**
14 **DEVELOPMENT OF NEW AMENITIES IN EXISTING STATE PARKS.**

15 **(3) THE DEPARTMENT’S DECISIONS RELATED TO THE**
16 **ESTABLISHMENT OF STATE HISTORICAL PARKS OR OTHER UNITS THAT PRESERVE**
17 **AND INTERPRET THE STORY OF HISTORICALLY UNDERSERVED, MINORITY, AND**
18 **OTHER UNDERREPRESENTED COMMUNITIES SHALL BE MADE:**

19 **(I) IN COORDINATION WITH THE COMMISSION; AND**

20 **(II) WITH INPUT FROM GROUPS ACTIVE IN THE PRESERVATION**
21 **OF HISTORICAL SITES OF UNDERREPRESENTED COMMUNITIES.**

22 **5–2A–05.**

23 **(A) THE DEPARTMENT SHALL:**

24 **(1) DEVELOP AND PUBLISH A COMPREHENSIVE LONG–RANGE**
25 **STRATEGIC PLAN BY DECEMBER 1, 2023; AND**

26 **(2) UPDATE THE COMPREHENSIVE LONG–RANGE STRATEGIC PLAN**
27 **EVERY 5 YEARS TO REFLECT MAJOR GOALS AND PROGRESS TOWARD MEETING**
28 **THOSE GOALS.**

29 **(B) THE COMPREHENSIVE LONG–RANGE STRATEGIC PLAN SHALL**
30 **INCLUDE:**

(1) THE FEASIBILITY OF:

(I) ESTABLISHING NEW STATE PARKS; AND

**(II) DEVELOPING NEW AMENITIES IN CURRENT STATE PARKS,
INCLUDING:**

1. TRAILS;

2. WATER ACCESS;

3. PARKING AREAS; AND

**4. OTHER CAPITAL IMPROVEMENTS THAT INCREASE
PARK CAPACITY;**

**(2) NEW STATE HISTORICAL PARKS OR OTHER UNITS THAT
PRESERVE AND INTERPRET THE STORY OF MINORITIES AND OTHER
UNDERREPRESENTED COMMUNITIES;**

**(3) A MULTILATERAL, WHOLE-SYSTEM PLAN FOR OUTDOOR
RECREATION IN THE STATE, INCLUDING:**

**(I) THE RESULTS OF ANY COORDINATION BETWEEN THE
DEPARTMENT AND COUNTY, MUNICIPAL, AND FEDERAL PARK SYSTEMS TO
INCREASE TRAIL CONNECTIVITY BETWEEN PARK SYSTEMS; AND**

**(II) AN ECONOMIC PLAN DEVELOPED BY THE DEPARTMENT IN
CONSULTATION WITH:**

1. THE OFFICE OF OUTDOOR RECREATION;

2. THE PARK SERVICE'S BUSINESS MANAGER;

**3. COUNTY TOURISM ENTITIES AND ECONOMIC
DEVELOPMENT OFFICES;**

4. THE MARYLAND MUNICIPAL LEAGUE;

5. THE MARYLAND ASSOCIATION OF COUNTIES; AND

6. THE OUTDOOR RECREATION ROUNDTABLE;

1 **(4) THE FEASIBILITY OF EXPANDING THE DAY-USE RESERVATION**
2 **SYSTEM BEYOND THE FALLING BRANCH AREA OF ROCKS STATE PARK TO ALL**
3 **PARKS EXPERIENCING CAPACITY SHUTDOWNS, INCLUDING CONSIDERATIONS ON**
4 **HOW THE EXPANSION OF THE DAY-USE RESERVATION SYSTEM MAY IMPACT STATE**
5 **PARK VISITORS IN TERMS OF EQUITY AND ACCESS;**

6 **(5) AN ANALYSIS OF HOW THE DEPARTMENT CAN INTEGRATE**
7 **INFRASTRUCTURE MESSAGING WITH THE NATIONAL PARK SERVICE AND LOCAL**
8 **GOVERNMENTS, INCLUDING THE DEVELOPMENT AND MAINTENANCE OF A**
9 **COORDINATED WEBSITE AND DIGITAL APPLICATION THAT PROVIDES INFORMATION**
10 **ON:**

11 **(I) WHERE PARKS AND OPEN SPACES ARE LOCATED;**

12 **(II) AVAILABLE AMENITIES; AND**

13 **(III) REAL-TIME INFORMATION ON THE OPERATIONAL STATUS**
14 **OF A PARK, INCLUDING CAPACITY;**

15 **(6) LONG-TERM MEASURES TO:**

16 **(I) RECRUIT AND RETAIN PEOPLE OF COLOR AND BILINGUAL**
17 **STAFF INTO PARK SERVICE POSITIONS; AND**

18 **(II) PROVIDE ONGOING UPDATES ON EFFORTS TO RECRUIT AND**
19 **RETAIN A DIVERSE PARK SERVICE WORKFORCE;**

20 **(7) DETAILS AND UPDATES ON THE DEVELOPMENT OF PROGRAMS IN**
21 **COLLABORATION WITH THE STATE'S HISTORICALLY BLACK COLLEGES AND**
22 **UNIVERSITIES THAT ARE:**

23 **(I) MODELED ON THE CADET PROGRAMS IMPLEMENTED BY**
24 **THE NATIONAL PARK SERVICE; AND**

25 **(II) FOCUSED ON CREATING A PIPELINE OF NEW RANGERS AND**
26 **OTHER FULL-TIME STAFF FROM AMONG VOLUNTEERS, THE STATE FOSTER YOUTH**
27 **SYSTEM, AND HISTORICALLY UNDERSERVED COMMUNITIES; AND**

28 **(8) THE RESULTS OF:**

29 **(I) IMPLEMENTING A VOLUNTEER MANAGEMENT PROGRAM**
30 **UNDER § 5-2A-02(E) OF THIS SUBTITLE;**

**(II) LEVERAGING CHARITABLE FUNDING FOR PARK
ENHANCEMENTS UNDER § 5-2A-02(F) OF THIS SUBTITLE; AND**

**(III) ANY COLLABORATION BETWEEN THE DEPARTMENT AND
THE DEPARTMENT OF TRANSPORTATION AND LOCAL TRANSPORTATION AGENCIES
TO IMPROVE BICYCLE, SIDEWALK, AND TRAIL ACCESS TO STATE PARKS.**

5-9A-01.

(a) The General Assembly declares that:

(1) Sprawl development and other modifications to the landscape in Maryland continue at an alarming rate, consuming land rich in natural resource, agricultural, and forestry value, adversely affecting water quality, wetlands and habitat, threatening resource-based economies and cultural assets, and rending the fabric of rural life;

(2) Current State, county, and local land conservation programs help to limit the effect of sprawl development but lack sufficient funding and focus to preserve key areas before escalating land values make their protection impossible or the land is lost to development; and

(3) A grant program that leverages available funding, focuses on preservation of strategic resources, including those resources threatened by sprawl development, streamlines real property acquisition procedures to expedite land preservation, takes advantage of innovative preservation techniques such as transferable development rights and the purchase of development rights, and promotes a greater level of natural and environmental resources protection than is provided by existing efforts, will establish a rural legacy for future generations.

(b) (1) A Rural Legacy Program is established to enhance natural resource, agricultural, forestry, and environmental protection as provided in subsection (a) of this section while maintaining the viability of resource-based land usage and proper management of tillable and wooded areas through accepted agricultural and silvicultural practices for farm production and timber harvests.

(2) The Program provides funds to the local governments and land trusts to purchase interests in real property from willing sellers, including easements, transferable development rights, and fee estates, focused in designated Rural Legacy Areas.

(3) The Program shall encourage partnerships among the federal, State, and local governments, and nonprofit land trust organizations and encourage local land conservation initiatives.

(4) The Program is administered by a Rural Legacy Board in the Department of Natural Resources, an advisory committee, and existing State staff.

(c) The Program is funded:

(1) Pursuant to § 13–209 of the Tax – Property Article and § 5–903(a)(2)(iii) of this title; [and]

(2) By the proceeds from the sale of general obligation bonds as provided in § 5–9A–09 of this subtitle; AND

(3) BY MONEY APPROPRIATED IN THE STATE BUDGET TO THE PROGRAM.

(d) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$5,444,127 TO THE PROGRAM.

(E) When negotiating and awarding grants, the Board shall encourage sponsors to utilize zero coupon bonds in the implementation of the Rural Legacy Plan in order to reduce the utilization of general obligation bonds in funding the grants.

5–1012.

(A) IN THIS SECTION, “PARTNERSHIP PARK” MEANS A UNIT OF THE STATE PARK SYSTEM MANAGED BY THE DEPARTMENT IN PARTNERSHIP WITH A LOCAL GOVERNMENT, A BICOUNTY AGENCY, OR A NONPROFIT ORGANIZATION.

(B) (1) THE DEPARTMENT SHALL ESTABLISH THE FREEDMAN’S STATE HISTORICAL PARK AS A PARTNERSHIP PARK THAT SEEKS TO EDUCATE THE PUBLIC ABOUT AND PRESERVE AND INTERPRET THE LIVES AND EXPERIENCES OF BLACK AMERICANS BOTH BEFORE AND AFTER THE ABOLITION OF SLAVERY.

(2) FREEDMAN’S STATE HISTORICAL PARK SHALL BE HELD BY THE STATE AS A STATE PARK UNDER THE PROTECTION AND ADMINISTRATION OF THE DEPARTMENT.

(C) THE PARK SHALL CONSIST OF PROPERTIES IN NORTHEASTERN MONTGOMERY COUNTY IN OR NEAR THE COMMUNITIES OF BROOKEVILLE, OLNEY, SANDY SPRING, ZION, AND LAYTONSVILLE THAT ARE:

(1) OWNED BY THE STATE AND DESIGNATED BY THE DEPARTMENT AS PART OF THE PARK; AND

1 **(2) (I) OWNED BY A LOCAL GOVERNMENT, A BICOUNTY AGENCY,**
2 **OR A NONPROFIT ORGANIZATION; AND**

3 **(II) DESIGNATED AS PART OF THE PARK BY A PARTNERSHIP**
4 **AGREEMENT BETWEEN THE OWNER OF THE PROPERTY AND THE STATE.**

5 **(D) (1) THE DEPARTMENT SHALL ESTABLISH A STAKEHOLDER ADVISORY**
6 **COMMITTEE TO ADVISE THE DEPARTMENT ON THE SCOPE AND MANAGEMENT OF**
7 **THE PARK.**

8 **(2) THE STAKEHOLDER ADVISORY COMMITTEE SHALL CONSIST OF**
9 **THE FOLLOWING MEMBERS:**

10 **(I) A REPRESENTATIVE OF MONTGOMERY PARKS,**
11 **DESIGNATED BY MONTGOMERY PARKS' DIRECTOR OF PARKS;**

12 **(II) A REPRESENTATIVE OF THE HERITAGE TOURISM**
13 **ALLIANCE OF MONTGOMERY COUNTY, DESIGNATED BY THE ALLIANCE'S**
14 **EXECUTIVE DIRECTOR;**

15 **(III) A REPRESENTATIVE OF THE SANDY SPRING SLAVE**
16 **MUSEUM, DESIGNATED BY THE MUSEUM'S DIRECTOR;**

17 **(IV) A REPRESENTATIVE OF THE SANDY SPRING MUSEUM,**
18 **DESIGNATED BY THE MUSEUM'S PRESIDENT; AND**

19 **(V) ANY OTHER MEMBERS AS DETERMINED BY THE**
20 **DEPARTMENT.**

21 **(3) TO THE EXTENT PRACTICABLE, THE STAKEHOLDER ADVISORY**
22 **COMMITTEE SHALL REFLECT THE DIVERSITY OF NORTHEASTERN MONTGOMERY**
23 **COUNTY.**

24 **(E) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT SHALL SUBMIT A**
25 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**
26 **STATE GOVERNMENT ARTICLE, ON:**

27 **(1) PROPERTY OWNED BY THE STATE IN NORTHEASTERN**
28 **MONTGOMERY COUNTY THAT IS SUITABLE FOR INCLUSION IN FREEDMAN'S STATE**
29 **HISTORICAL PARK;**

30 **(2) PROPERTY OWNED BY A LOCAL GOVERNMENT, A BICOUNTY**
31 **AGENCY, OR A NONPROFIT ORGANIZATION IN NORTHEASTERN MONTGOMERY**

COUNTY THAT IS SUITABLE FOR INCLUSION IN THE PARK AND FOR WHICH THE
LANDOWNERS ARE WILLING TO ENTER INTO A PARTNERSHIP AGREEMENT; AND

(3) THE FUNDING NEEDED TO ESTABLISH AND PROMOTE THE PARK.

Article – Agriculture

2–505.

(a) The Maryland Agricultural Land Preservation Fund is created and continued
for the purposes specified in this subtitle.

(b) The Maryland Agricultural Land Preservation Fund shall comprise:

(1) Any money made available to the Fund by general or special fund
appropriations;

(2) Any money made available to the Fund by grants or transfers from
governmental or private sources; and

(3) Any money received under § 2–513(c) of this subtitle.

**(I) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE
ANNUAL BUDGET BILL AN APPROPRIATION OF \$18,564,469 TO THE FUND.**

Article – Economic Development

10–501.

(a) In this subtitle the following words have the meanings indicated.

(f) “Corporation” means the Maryland Agricultural and Resource–Based
Industry Development Corporation.

10–523.

(a) (1) The Corporation may receive annual funding through an appropriation
in the State budget.

(2) The Corporation may also receive money for projects included in the
budgets of State units.

(3) (i) To assist the Corporation in complying with subsection (c) of this
section, the Governor shall include each year in the State budget bill an appropriation to
the Corporation for rural business development and assistance as follows:

1. for fiscal year 2021, \$2,875,000; and
2. for each of the fiscal years 2022 through 2025, \$2,735,000.

(ii) 1. [In] **EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH**, IN addition to any money provided under subparagraph (i) of this paragraph, the Governor may include each year in the State budget bill an appropriation to the Corporation in an amount not exceeding \$5,000,000 for rural land acquisition and easement programs, including programs to assist young and beginning farmers.

2. **FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$10,000,000 TO THE CORPORATION FOR THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM.**

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;

146. THE PARK SYSTEM CRITICAL MAINTENANCE FUND;

AND

147. THE PARK SYSTEM CAPITAL IMPROVEMENTS AND ACQUISITION FUND.

13–109.

(a) In this section, “small procurement” means a procurement for which:

- (1) a unit spends \$50,000 or less;

(2) a contractor provides services subject to § 11–202(3) of this article for expected annual revenues of \$50,000 or less;

(3) the Department of General Services or the Department of Transportation is seeking to award a procurement contract for a construction with a value that is \$100,000 or less; [or]

(4) THE DEPARTMENT OF NATURAL RESOURCES IS SEEKING TO AWARD A PROCUREMENT CONTRACT FOR CAPITAL PROJECTS OR MAINTENANCE WITH A VALUE THAT IS \$100,000 OR LESS; OR

(5) for purposes of administering Title 29, Subtitle 1 of the State Personnel and Pensions Article, the State Retirement Agency spends \$50,000 or less during a fiscal year for:

(i) expenses related to independent medical evaluations by a physician; and

(ii) any expenses related to testimony by the physician at administrative hearings on behalf of the Agency.

(b) A unit may make small procurements in accordance with the regulations of primary procurement units.

(c) A primary procurement unit may not create a small procurement by artificial division of a procurement.

(d) Any regulation of a primary procurement unit to govern small procurements:

(1) shall provide for a simplified administrative procedure;

(2) shall be consistent with the basic intent of this Division II; and

(3) may not be disadvantageous economically to the State.

(e) At least every 3 years, the Board shall:

(1) review the prevailing costs of labor and materials; and

(2) if warranted by changes in cost, recommend to the General Assembly appropriate adjustments in the ceiling for a small procurement.

Article – Tax – Property

13–209.

(g) (1) [(i) For each of fiscal years 2018, 2019, 2020, 2021, and 2022, the Governor shall include in the budget bill a General Fund appropriation in the amount of \$2,500,000 to the Maryland Agricultural and Resource-Based Industry Development Corporation for the Next Generation Farmland Acquisition Program authorized under § 10-523(a)(3)(ii) of the Economic Development Article.

(ii) The appropriation required under subparagraph (i) of this paragraph:

1. represents reimbursement for 13.9% of the cumulative amount appropriated or transferred from the special fund to the General Fund for fiscal year 2006; and

2. is not subject to the provisions of subsections (a) through (f) of this section.

(2) (i) 1. The Governor shall include in the annual budget bill for fiscal year 2021 a General Fund appropriation to the special fund in the amount of \$5,690,501.]

[2.] (I) The Governor shall include in [each of] the annual budget [bills] **BILL** for fiscal [years 2022 and] **YEAR 2023** a General Fund appropriation to the special fund in the amount of \$12,500,000.

[3. The Governor shall include in the annual budget bill for fiscal year 2024 a General Fund appropriation to the special fund in the amount of \$6,809,499.]

(ii) The [appropriations] **APPROPRIATION** required under subparagraph (i) of this paragraph:

1. [are] **IS** not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

2. shall be allocated as provided in subsection (d) of this section and § 5-903 of the Natural Resources Article; and

3. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

1 [(3)] (2) (i) [1.] The Governor shall include in [each of] the annual
2 budget [bills] **BILL** for fiscal year [2019 and fiscal years] 2023 [through 2026] a General
3 Fund appropriation to the special fund in the amount of \$6,000,000 [and for fiscal year
4 2027 a General Fund appropriation to the special fund in the amount of \$4,000,000] for
5 park development and the critical maintenance of State projects located on lands managed
6 by the Department of Natural Resources for public purposes.

7 [2. The Governor shall include in the annual budget bill for
8 fiscal year 2022 only a General Fund appropriation to the special fund in the amount of
9 \$21,930,475 for the critical maintenance of State projects located on lands managed by the
10 Department of Natural Resources for public purposes.]

11 (ii) The [appropriations] **APPROPRIATION** required under
12 subparagraph (i) of this paragraph:

13 1. [are] **IS** not subject to the provisions of subsections (a), (b),
14 (c), and (f) of this section; **AND**

15 2. [shall be made until the cumulative total amount
16 appropriated under subparagraph (i) of this paragraph is equal to \$55,930,475; and

17 3.] shall be reduced by the amount of any appropriation from
18 the General Fund to the special fund that:

19 A. exceeds the required appropriation under this paragraph;

20 B. is identified as an appropriation for reimbursement under
21 this paragraph; and

22 C. supplements rather than supplants the Department of
23 Natural Resources funding for the critical maintenance of State projects on State lands,
24 based on the average critical maintenance budget of the 10 years preceding the
25 appropriation.

26 [(4)] (3) (i) 1. [Subject to subparagraph (ii) of this paragraph, the
27 Governor shall appropriate from the General Fund to the special fund \$119,800,225, which
28 equals the cumulative amount of the appropriations or transfers from the special fund to
29 the General Fund for fiscal years 2016, 2017, and 2018, less \$104,365,475.

30 2. For fiscal year 2022 only, the Governor shall include in the
31 annual budget bill a General Fund appropriation in the amount of \$1,200,000 to the State
32 Lakes Protection and Restoration Fund established under § 8–205 of the Natural Resources
33 Article to be used only to fund a pilot dredging project at Deep Creek Lake, which is not
34 required to be matched by local funds.

3.] For [each of] fiscal [years] YEAR 2023, [2024, 2025, 2026, and 2027,] the Governor shall include in the annual budget bill a General Fund appropriation in the amount of \$2,500,000 to the Maryland Agricultural and Resource-Based Industry Development Corporation for the Next Generation Farmland Acquisition Program authorized under § 10-523(a)(3)(ii) of the Economic Development Article.

[4.] 2. For fiscal year 2025 only, the Governor shall include in the annual budget bill a General Fund appropriation in the amount of \$2,735,000 to the Maryland Agricultural and Resource-Based Industry Development Corporation established under Title 10, Subtitle 5 of the Economic Development Article to be used as follows:

A. \$2,300,000 to support the Corporation's rural business loan programs and small matching grant programs; and

B. \$435,000 for grants and near-equity investments to:

I. support the creation or expansion of agricultural product aggregation and storage sites; and

II. facilitate participation in the Certified Local Farm Enterprise Program.

(ii) [The Governor shall appropriate at least:

1. \$8,230,475 on or before June 30, 2022;

2. an additional \$37,986,900 on or before June 30, 2026;

3. an additional \$48,221,900 on or before June 30, 2030; and

4. an additional \$25,360,950 on or before June 30, 2031.

(iii) The appropriations required under [subparagraphs] SUBPARAGRAPH (i) [and (ii)] of this paragraph:

1. [represent reimbursement for the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less \$104,365,475;

2.] are not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

[3.] 2. Shall be allocated as provided in subsection (d) of this section and § 5-903 of the Natural Resources Article; AND

[4. Shall be made until the cumulative total appropriated under subparagraphs (i) and (ii) of this paragraph is equal to the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less \$104,365,475; and]

[5.] 3. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

Article – Labor and Employment

9–207.

(a) A **PARK SERVICES ASSOCIATE, A FOREST RANGER, A PARK RANGER, A WILDLIFE RANGER**, A registered crew member, a paid law enforcement employee, or an individual engaged for fire fighting by the Department of Natural Resources is a covered employee.

(b) Notwithstanding § 9–203 of this subtitle, an individual engaged for fire fighting who otherwise would be a covered employee under subsection (a) of this section is a covered employee even if the fire fighting takes place outside of the State.

(c) Notwithstanding § 9–205 of this subtitle, an individual who otherwise would be a covered employee under subsection (a) of this section is a covered employee even if engaged temporarily or part time.

(d) For the purpose of this title, the Department of Natural Resources is the employer of an individual who is a covered employee under this section.

9–503.

(a) A **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK RANGER, WILDLIFE RANGER**, paid firefighter, paid fire fighting instructor, paid rescue squad member, paid advanced life support unit member, or sworn member of the Office of the State Fire Marshal employed by an airport authority, a county, a fire control district, a municipality, or the State or a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue squad member, or volunteer advanced life support unit member who is a covered employee under § 9–234 of this title is presumed to have an occupational disease that was suffered in the line of duty and is compensable under this title if:

(1) the individual has heart disease, hypertension, or lung disease;

(2) the heart disease, hypertension, or lung disease results in partial or total disability or death; and

(3) in the case of a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue squad member, or volunteer advanced life support unit member, the individual has met a suitable standard of physical examination before becoming a firefighter, fire fighting instructor, rescue squad member, or advanced life support unit member.

(b) (1) A paid police officer employed by an airport authority, a county, the Maryland–National Capital Park and Planning Commission, a municipality, or the State, a deputy sheriff of Montgomery County, or, subject to paragraph (2) of this subsection, a deputy sheriff of Anne Arundel County, Anne Arundel County detention officer, deputy sheriff of Baltimore City, Montgomery County correctional officer, Prince George’s County deputy sheriff, Prince George’s County correctional officer, or deputy sheriff of Allegany County is presumed to be suffering from an occupational disease that was suffered in the line of duty and is compensable under this title if:

(i) the police officer, deputy sheriff, or correctional officer is suffering from heart disease or hypertension; and

(ii) the heart disease or hypertension results in partial or total disability or death.

(2) (i) A deputy sheriff of Anne Arundel County, Anne Arundel County detention officer, deputy sheriff of Baltimore City, Montgomery County correctional officer, Prince George’s County deputy sheriff, or Prince George’s County correctional officer is entitled to the presumption under this subsection only to the extent that the individual suffers from heart disease or hypertension that is more severe than the individual’s heart disease or hypertension condition existing prior to the individual’s employment as a deputy sheriff of Anne Arundel County, Anne Arundel County detention officer, deputy sheriff of Baltimore City, Montgomery County correctional officer, Prince George’s County deputy sheriff, or Prince George’s County correctional officer.

(ii) To be eligible for the presumption under this subsection, a deputy sheriff of Anne Arundel County, Anne Arundel County detention officer, deputy sheriff of Baltimore City, Montgomery County correctional officer, Prince George’s County deputy sheriff, or Prince George’s County correctional officer, as a condition of employment, shall submit to a medical examination to determine any heart disease or hypertension condition existing prior to the individual’s employment as a deputy sheriff of Anne Arundel County, Anne Arundel County detention officer, deputy sheriff of Baltimore City, Montgomery County correctional officer, Prince George’s County deputy sheriff, or Prince George’s County correctional officer.

(c) A **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK RANGER, WILDLIFE RANGER**, paid firefighter, paid fire fighting instructor, paid rescue squad member, paid advanced life support unit member, or a sworn member of the Office of the State Fire Marshal employed by an airport authority, a county, a fire control district, a municipality, or the State or a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue squad member, or volunteer advanced life support unit member who is a covered employee under § 9–234 of this title is presumed to be suffering from an occupational disease that was suffered in the line of duty and is compensable under this title if:

(1) the individual has leukemia or prostate, rectal, throat, multiple myeloma, non–Hodgkin’s lymphoma, brain, testicular, bladder, kidney or renal cell, or breast cancer that is caused by contact with a toxic substance that the individual has encountered in the line of duty;

(2) the individual has completed at least 10 years of cumulative service within the State as a firefighter, a fire fighting instructor, a rescue squad member, or an advanced life support unit member or in a combination of those jobs;

(3) the cancer or leukemia results in partial or total disability or death; and

(4) in the case of a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue squad member, or volunteer advanced life support unit member, the individual has met a suitable standard of physical examination before becoming a firefighter, fire fighting instructor, rescue squad member, or advanced life support unit member.

(d) (1) A **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK RANGER, WILDLIFE RANGER**, paid law enforcement employee of the Department of Natural Resources who is a covered employee under § 9–207 of this title, and a park police officer of the Maryland–National Capital Park and Planning Commission is presumed to have an occupational disease that was suffered in the line of duty and is compensable under this title if the [employee] **INDIVIDUAL**:

(i) is suffering from Lyme disease; and

(ii) was not suffering from Lyme disease before assignment to a position that regularly places the employee in an outdoor wooded environment.

(2) The presumption under this subsection for a park police officer of the Maryland–National Capital Park and Planning Commission shall only apply:

(i) during the time that the park police officer is assigned to a position that regularly places the park police officer in an outdoor wooded environment; and

(ii) for 3 years after the last date that the park police officer was assigned by the Maryland–National Capital Park and Planning Commission to a position that regularly placed the officer in an outdoor wooded environment.

(e) (1) Except as provided in paragraph (2) of this subsection, any paid firefighter, paid fire fighting instructor, sworn member of the Office of the State Fire Marshal, paid police officer, **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK RANGER, WILDLIFE RANGER**, paid law enforcement employee of the Department of Natural Resources, deputy sheriff of Anne Arundel County, Anne Arundel County detention officer, park police officer of the Maryland–National Capital Park and Planning Commission, deputy sheriff of Montgomery County, deputy sheriff of Baltimore City, Montgomery County correctional officer, deputy sheriff of Prince George’s County, or Prince George’s County correctional officer who is eligible for benefits under subsection (a), (b), (c), or (d) of this section or the dependents of those individuals shall receive the benefits in addition to any benefits that the individual or the dependents of the individual are entitled to receive under the retirement system in which the individual was a participant at the time of the claim.

(2) The benefits received under this title shall be adjusted so that the weekly total of those benefits and retirement benefits does not exceed the weekly salary that was paid to [the paid law enforcement employee of the Department of Natural Resources, a park police officer of the Maryland–National Capital Park and Planning Commission, firefighter, fire fighting instructor, sworn member of the Office of the State Fire Marshal, police officer, deputy sheriff, Prince George’s County or Montgomery County correctional officer, or Anne Arundel County detention officer] **AN INDIVIDUAL SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

Article – Tax – General

10–209.

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

(2) “Correctional officer” means an individual who:

(i) was employed in:

1. a State correctional facility, as defined in § 1–101 of the Correctional Services Article;

2. a local correctional facility, as defined in § 1–101 of the Correctional Services Article;

3. a juvenile facility included in § 9–226 of the Human Services Article; or

1 4. a facility of the United States that is equivalent to a State
2 or local correctional facility or a juvenile facility included in § 9–226 of the Human Services
3 Article; and

4 (ii) is eligible to receive retirement income attributable to the
5 individual's employment under item (i) of this paragraph.

6 (3) “Emergency services personnel” means emergency medical technicians
7 or paramedics.

8 (4) (i) “Employee retirement system” means a plan:

9 1. established and maintained by an employer for the benefit
10 of its employees; and

11 2. qualified under § 401(a), § 403, or § 457(b) of the Internal
12 Revenue Code.

13 (ii) “Employee retirement system” does not include:

14 1. an individual retirement account or annuity under § 408
15 of the Internal Revenue Code;

16 2. a Roth individual retirement account under § 408A of the
17 Internal Revenue Code;

18 3. a rollover individual retirement account;

19 4. a simplified employee pension under Internal Revenue
20 Code § 408(k); or

21 5. an ineligible deferred compensation plan under § 457(f) of
22 the Internal Revenue Code.

23 (b) Subject to subsections (d) and (e) of this section, to determine Maryland
24 adjusted gross income, if, on the last day of the taxable year, a resident is at least 65 years
25 old or is totally disabled or the resident's spouse is totally disabled, or the resident is at
26 least 55 years old and is a retired **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK**
27 **RANGER, WILDLIFE RANGER**, correctional officer, law enforcement officer, or fire, rescue,
28 or emergency services personnel of the United States, the State, or a political subdivision
29 of the State, an amount is subtracted from federal adjusted gross income equal to the lesser
30 of:

31 (1) the cumulative or total annuity, pension, or endowment income from an
32 employee retirement system included in federal adjusted gross income; or

(2) the maximum annual benefit under the Social Security Act computed under subsection (c) of this section, less any payment received as old age, survivors, or disability benefits under the Social Security Act, the Railroad Retirement Act, or both.

(c) For purposes of subsection (b)(2) of this section, the Comptroller:

(1) shall determine the maximum annual benefit under the Social Security Act allowed for an individual who retired at age 65 for the prior calendar year; and

(2) may allow the subtraction to the nearest \$100.

(d) Military retirement income that is included in the subtraction under § 10–207(q) of this subtitle may not be taken into account for purposes of the subtraction under this section.

(e) In the case of a retired **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK RANGER, WILDLIFE RANGER**, correctional officer, law enforcement officer, or fire, rescue, or emergency services personnel of the United States, the State, or a political subdivision of the State, the amount included under subsection (b)(1) of this section is limited to the first \$15,000 of retirement income that is attributable to the resident's employment as a **PARK SERVICES ASSOCIATE, FOREST RANGER, PARK RANGER, WILDLIFE RANGER**, correctional officer, [a] law enforcement officer, or fire, rescue, or emergency services personnel of the United States, the State, or a political subdivision of the State unless:

(1) the resident is at least 65 years old or is totally disabled; or

(2) the resident's spouse is totally disabled.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Park System Capital Improvements and Acquisition Fund established in § 5–221 of the Natural Resources Article, as enacted by Section 1 of this Act, \$60,000,000 of the funds for State land acquisition under Program Open Space in the special fund established under § 13–209 of the Tax – Property Article. A transfer of funds from the special fund established under § 13–209 of the Tax – Property Article to the Park System Capital Improvements and Acquisition Fund under this section may not be taken into account for purposes of determining any allocation or appropriation required under § 13–209(f) or (g) of the Tax – Property Article.

SECTION 3. AND BE IT FURTHER ENACTED, That the Parks and Recreation Commission established in § 5–2A–03 of the Natural Resources Article, as enacted by Section 1 of this Act, shall provide oversight to the Maryland Park Service on the implementation of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

