

Chapter 275

(Senate Bill 311)

AN ACT concerning

Chesapeake Conservation Corps Program

FOR the purpose of establishing the Chesapeake Conservation Corps Program ~~as a body politic and corporate~~; providing for the purposes of the Corps Program; establishing a Corps Board of Directors of the Corps, with specified membership, officers, duties, staff, and terms; providing for the purpose of the Corps Board; requiring the Chesapeake Bay Trust to make certain grants to certain qualified organizations for the creation or expansion of certain programs; requiring the Trust to develop certain guidelines for evaluating applications from certain qualifying organizations; requiring certain grant agreements to meet certain requirements; requiring the Trust to provide certain technical assistance to qualifying organizations under certain circumstances; ~~providing for an Executive Director of the Corps, with certain duties and powers~~; providing that the Attorney General is the legal advisor of the Corps; ~~authorizing the Corps to retain certain staff~~; ~~providing for the application of certain laws to the Corps and its personnel~~; ~~establishing the powers of the Corps~~; requiring the Corps Program to undertake certain projects for certain purposes; ~~requiring the Corps to develop and implement~~ establishing certain requirements for certain volunteer service programs, including stipend volunteers; authorizing certain educational institutions to assist the Corps Program in certain manners; ~~encouraging and~~ requiring the Corps Board to seek assistance from certain sources in developing certain programs; ~~providing that the Corps is exempt from State and local taxes~~; ~~providing that the books and records of the Corps are subject to audit~~; requiring the Corps Board to report each year to certain persons on certain matters; requiring the Trust, in consultation with the Corps Board, to develop a certain plan plans and provide ~~a draft~~ certain drafts of certain plans to certain committees for a certain purpose; providing for certain funding for the Corps Program in certain fiscal years from the Environmental Trust Fund; defining certain terms; making stylistic changes; providing for the initial terms of the members of the Corps Board; and generally relating to the Chesapeake Conservation Corps Program.

BY renumbering

Article – Natural Resources

Section 8–1901 through 8–1909, respectively

to be Section 8–1902 through 8–1910, respectively

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources
 Section ~~3–302(a), (c), and (e)~~
 Annotated Code of Maryland
 (2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
 Section ~~3–302(e)(1)(v)~~ 3–302(d)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Natural Resources
 Section ~~3–302(f)~~ 8–1901 to be under the amended subtitle “Subtitle 19. Chesapeake Bay Trust and ~~Related Units Programs~~” and the new part “Part I. General Provisions”; and 8–1913 through ~~8–1931~~ 8–1924 to be under the new part “Part II. Chesapeake Conservation Corps Program”
 Annotated Code of Maryland
 (2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
 Section 8–1905
 Annotated Code of Maryland
 (2007 Replacement Volume and 2009 Supplement)
 (As enacted by Section 1 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8–1901 through 8–1909, respectively, of Article – Natural Resources of the Annotated Code of Maryland be renumbered to be Section(s) 8–1902 through 8–1910, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

3–302.

(a) (1) There is an Environmental Trust Fund.

(2) For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1–101 of the Public Utility

Companies Article. The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers' bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be deemed a cost of distribution and shall be allowed and computed as such, together with other allowable expenses, for rate-making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.

(c) (1) (i) The Secretary shall administer the Fund.

(ii) The Fund is subject to the provisions for financial management and budgeting established by the Department of Budget and Management.

(iii) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(iv) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(v) Except as provided in paragraph (2) of this subsection, the moneys in the Fund shall be used to:

~~1. [carry] CARRY out the provisions of this subtitle as provided for in the budget; AND~~

~~2. PROVIDE SUPPORT TO THE CHESAPEAKE CONSERVATION CORPS IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION AND TITLE 8, SUBTITLE 19, PART II OF THIS ARTICLE.~~

(vi) For the purposes of this subtitle, the Secretary, in consultation with the Director of the Maryland Energy Administration, may execute appropriate contracts with any State or federal agency, research organization, industry, or academic institution to conduct the necessary research, construct or acquire, or both, real property including physical predictive models, laboratories, buildings, land, and appurtenances, or support the technological development of extraordinary systems related to power plants designed to minimize environmental impact.

(vii) The Secretary may utilize available expertise in any other State unit in the development, execution, and management of contracts and agreements on projects relating to their areas of prime responsibility.

(2) Moneys in the Fund may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article.

(d) (1) The Maryland Energy Administration shall receive administrative and fiscal support from the Fund for studies relating to the conservation or production of electric energy.

(2) Fiscal support to the Maryland Energy Administration from the Fund may not exceed \$250,000 in any fiscal year.

(3) IN EACH OF FISCAL YEARS 2011 THROUGH 2015, THE CHESAPEAKE BAY TRUST SHALL RECEIVE \$250,000 FROM THE FUND FOR THE PURPOSE OF FUNDING ENERGY CONSERVATION PROJECTS THROUGH THE CHESAPEAKE CONSERVATION CORPS PROGRAM, AS PROVIDED UNDER §§ 8-1913 THROUGH 8-1924 OF THIS ARTICLE.

(e) The Legislative Auditor shall conduct post audits of a fiscal and compliance nature of the Fund and of the appropriations and expenditures made for the purposes of this subtitle. The cost of the fiscal portion of the post audit examinations shall be an operating cost of the Fund.

~~(f) (1) IN FISCAL YEARS 2011 THROUGH 2015, THE CHESAPEAKE CONSERVATION CORPS ESTABLISHED UNDER § 8-1913 OF THIS ARTICLE SHALL RECEIVE \$1,000,000 EACH FISCAL YEAR FROM THE FUND.~~

~~(2) THE CHESAPEAKE CONSERVATION CORPS SHALL USE THE APPROPRIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION TO CARRY OUT TITLE 8, SUBTITLE 19, PART II OF THIS ARTICLE.~~

Subtitle 19. Chesapeake Bay Trust AND ~~RELATED UNITS~~ PROGRAMS.

PART I. GENERAL PROVISIONS.

8-1901.

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

(B) “BOARD” MEANS THE BOARD OF TRUSTEES OF THE CHESAPEAKE BAY TRUST.

(C) “TRUST” MEANS THE CHESAPEAKE BAY TRUST.

8-1905.

(a) The Board [of Trustees] shall elect [1] ONE of their members to serve as [chairman] CHAIR.

(b) The Board shall meet at places and dates to be determined by the Board, but not less than 2 times a year.

(c) Seven trustees shall constitute a quorum, but action may not be taken by [less than] a vote of [7] LESS THAN SEVEN members.

(d) A trustee:

(1) May not receive compensation AS A TRUSTEE; but

(2) Is entitled to reimbursement for expenses under the Standard State Travel Regulations as provided in the State budget.

(e) The State agencies represented on the Trust shall provide staff, supplies, and office space, and shall be reimbursed for these expenses from moneys of the Trust.

8-1911. RESERVED.

8-1912. RESERVED.

PART II. CHESAPEAKE CONSERVATION CORPS PROGRAM.

8-1913.

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

(B) "CORPS BOARD" MEANS THE ADVISORY BOARD OF DIRECTORS OF THE CORPS PROGRAM.

(C) "CORPS PROGRAM" MEANS THE CHESAPEAKE CONSERVATION CORPS PROGRAM ESTABLISHED UNDER § 8-1914 OF THIS ~~SUBTITLE~~ PART.

(D) "~~EXECUTIVE DIRECTOR~~" MEANS THE ~~EXECUTIVE DIRECTOR OF THE CORPS~~ ENERGY CONSERVATION PROJECT" MEANS A PROJECT TO PROMOTE ENERGY CONSERVATION OR EFFICIENCY, INCLUDING A PROJECT TO:

(1) IMPROVE ENERGY EFFICIENCY OF HOUSEHOLDS AND PUBLIC STRUCTURES THROUGH ENERGY AUDITS, WEATHERIZATION, AND OTHER ON-SITE ENERGY CONSERVATION MEASURES;

(2) IMPLEMENT CLEAN ENERGY PROJECTS IN COMMUNITIES TO ENHANCE THE USE OF RENEWABLE ENERGY, ~~DECREASE RELIANCE ON FOSSIL FUELS,~~ REDUCE CARBON EMISSIONS, AND MITIGATE CLIMATE CHANGE;

(3) IMPLEMENT COMMUNITY GREENING AND URBAN TREE CANOPY PROJECTS THAT CREATE ENERGY SAVINGS; AND

(4) ASSIST SCHOOLS IN BECOMING “GREEN SCHOOLS” AND REDUCING ENERGY COSTS.

(E) “ENVIRONMENTAL PROJECT” MEANS A PROJECT THAT RESULTS IN LONG-TERM PRESERVATION, PROTECTION, AND CONSERVATION OF THE ENVIRONMENT, IN AREAS INCLUDING ENVIRONMENTAL RESTORATION, AGRICULTURAL AND FORESTRY, INFRASTRUCTURE, ENERGY CONSERVATION, AND EDUCATIONAL IMPROVEMENTS.

(F) “QUALIFIED ORGANIZATION” MEANS:

(1) A NONPROFIT ORGANIZATION;

(2) A SCHOOL;

(3) A COMMUNITY ASSOCIATION;

(4) A SERVICE, YOUTH, OR CIVIC GROUP;

(5) AN INSTITUTION OF HIGHER EDUCATION;

(6) A COUNTY OR MUNICIPALITY; OR

(7) A UNIT OF STATE GOVERNMENT.

(G) “TRUST” MEANS THE CHESAPEAKE BAY TRUST.

8-1914.

(A) THERE IS A CHESAPEAKE CONSERVATION CORPS PROGRAM ADMINISTERED BY THE TRUST, IN CONSULTATION WITH THE CORPS BOARD.

~~(B) (1) THE CORPS IS A BODY POLITIC AND CORPORATE AND IS AN INSTRUMENTALITY OF THE STATE.~~

~~(2) THE CORPS IS AN INDEPENDENT UNIT THAT IS NOT UNDER THE ADMINISTRATION OF THE DEPARTMENT OR THE CHESAPEAKE BAY TRUST.~~

~~(C) THE EXERCISE BY THE CORPS OF THE POWERS CONFERRED BY THIS PART IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION.~~

~~(D) THE PURPOSES~~ PURPOSE OF THE CORPS PROGRAM ~~ARE~~ IS TO:

(1) PROMOTE, PRESERVE, PROTECT, AND SUSTAIN THE ENVIRONMENT;

(2) PROVIDE YOUNG ADULTS WITH OPPORTUNITIES TO BECOME BETTER CITIZENS, STUDENTS, AND WORKERS THROUGH MEANINGFUL SERVICE TO THEIR COMMUNITIES AND THE STATE;

(3) MOBILIZE, EDUCATE, AND TRAIN YOUTH AND YOUNG ADULTS TO WORK WITH COMMUNITIES AND SCHOOLS TO PROMOTE ENERGY CONSERVATION AND MITIGATE AND PREVENT THREATS TO THE ENVIRONMENT;

(4) PROVIDE OPPORTUNITIES FOR YOUTH AND YOUNG ADULTS, ESPECIALLY DISADVANTAGED YOUTH, TO BE TRAINED FOR CAREERS THAT WILL BE PART OF THE EMERGING FIELD OF "GREEN COLLAR" JOBS;

(5) EDUCATE AND TRAIN COMMUNITIES AND INDIVIDUALS FOR THE LONG-TERM ACTION NEEDED TO CONTINUE TO PROMOTE, PRESERVE, PROTECT, AND SUSTAIN THE ENVIRONMENT AFTER A CORPS PROJECT HAS BEEN COMPLETED;

(6) ACT AS A COORDINATOR AND FACILITATOR OF EFFORTS TO FOSTER PUBLIC-PRIVATE PARTNERSHIPS IN DEVELOPING "GREEN COLLAR" JOB OPPORTUNITIES AND IN ENHANCING AND EXPANDING THE WORKFORCE AVAILABLE FOR ENVIRONMENTAL PROTECTION AND CLEAN ENERGY INDUSTRIES; AND

(7) CHANNEL AVAILABLE PUBLIC AND PRIVATE RESOURCES TO THE PROTECTION, CONSERVATION, AND PRESERVATION OF THE ENVIRONMENT OF THE STATE.

8-1915.

~~(A) A BOARD OF DIRECTORS SHALL MANAGE THE CORPS AND EXERCISE ITS CORPORATE POWERS.~~

~~(B)~~ (1) THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE TRUST IN THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.

(2) THE CORPS BOARD CONSISTS OF THE FOLLOWING 11 MEMBERS:

(I) ~~TWO MEMBERS~~ ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(II) ~~TWO MEMBERS~~ ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(III) ONE MEMBER APPOINTED BY THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND WITH THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AS A LIAISON BETWEEN THE CORPS BOARD, THE CHANCELLOR, AND THE BOARD OF REGENTS; ~~AND~~

(IV) THREE MEMBERS OF THE BOARD OF TRUSTEES OF THE CHESAPEAKE BAY TRUST, APPOINTED BY THE CHAIR OF THE BOARD; AND

~~(IV)~~ (V) ~~SIX~~ FIVE MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, INCLUDING AT LEAST ONE INDIVIDUAL FROM THE NOT-FOR-PROFIT SECTOR WITH A BACKGROUND IN EDUCATION AND STUDENT SERVICE AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT.

~~(2)~~ (3) IF A REGULATED LOBBYIST IS APPOINTED TO SERVE AS A MEMBER OF THE CORPS BOARD, THE LOBBYIST IS NOT SUBJECT TO:

(I) § 15-504(D) OF THE STATE GOVERNMENT ARTICLE; OR

(II) § 15-703(F)(3) OF THE STATE GOVERNMENT ARTICLE AS A RESULT OF THAT SERVICE.

~~(c)~~ (B) A MEMBER OF THE CORPS BOARD SHALL RESIDE IN THE STATE.

~~(d)~~ (C) IN MAKING APPOINTMENTS TO THE CORPS BOARD, THE GOVERNOR SHALL CONSIDER:

(1) DIVERSITY; AND

(2) ALL GEOGRAPHIC REGIONS OF THE STATE.

~~(e)~~ (D) A MEMBER OF THE CORPS BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE CORPS BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

~~(F)~~ (E) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON JULY 1, 2010.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

~~(G)~~ (F) THE APPOINTING AUTHORITY MAY REMOVE A MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.

~~(H)~~ (G) (1) THE CORPS BOARD SHALL DETERMINE THE TIMES AND PLACES OF ITS MEETINGS.

(2) THE CORPS BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF SIX MEMBERS.

8-1916.

(A) FROM AMONG ITS MEMBERS, THE CORPS BOARD SHALL ELECT A CHAIR, AND A VICE CHAIR, ~~AND A TREASURER.~~

(B) THE TRUST SHALL PROVIDE STAFF SUPPORT FOR THE CORPS BOARD.

~~8-1917.~~

~~(A) (1) THE BOARD SHALL EMPLOY AN EXECUTIVE DIRECTOR.~~

~~(2) THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE BOARD.~~

~~(3) THE BOARD SHALL DETERMINE THE SALARY OF THE EXECUTIVE DIRECTOR.~~

~~(4) THE EXECUTIVE DIRECTOR SHALL HAVE EXPERIENCE WITH AND POSSESS QUALIFICATIONS RELEVANT TO THE ACTIVITIES AND PURPOSES OF THE CORPS.~~

~~(B) (1) THE EXECUTIVE DIRECTOR IS THE CHIEF ADMINISTRATIVE OFFICER OF THE CORPS.~~

~~(2) THE EXECUTIVE DIRECTOR SHALL MANAGE THE ADMINISTRATIVE AFFAIRS AND TECHNICAL ACTIVITIES OF THE CORPS IN ACCORDANCE WITH POLICIES AND PROCEDURES THAT THE BOARD ESTABLISHES.~~

~~(C) THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL:~~

~~(1) ATTEND ALL MEETINGS OF THE BOARD;~~

~~(2) ACT AS SECRETARY TO THE BOARD;~~

~~(3) KEEP MINUTES OF ALL PROCEEDINGS OF THE BOARD;~~

~~(4) APPROVE ALL SALARIES, PER DIEM PAYMENTS, AND ALLOWABLE EXPENSES OF THE CORPS, ITS EMPLOYEES, AND ITS CONSULTANTS;~~

~~(5) APPROVE ANY EXPENSES INCIDENTAL TO THE OPERATION OF THE CORPS; AND~~

~~(6) PERFORM ANY OTHER DUTIES THAT THE BOARD DIRECTS IN CARRYING OUT THIS PART.~~

~~(D) IN FURTHERANCE OF THE PURPOSES OF THE CORPS, THE EXECUTIVE DIRECTOR IS AUTHORIZED TO EXECUTE CONTRACTS AND ACCEPT GRANTS OR DONATIONS FROM GOVERNMENTAL OR PRIVATE SOURCES.~~

~~§ 1918.~~

~~(A) THE ATTORNEY GENERAL IS THE LEGAL ADVISOR TO THE CORPS.~~

~~(B) WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE CORPS MAY RETAIN OUTSIDE COUNSEL.~~

~~§ 1919.~~

~~THE CORPS MAY RETAIN ANY NECESSARY ACCOUNTANTS, ENGINEERS, FINANCIAL ADVISORS, TECHNICAL ADVISORS, OR OTHER CONSULTANTS.~~

~~§ 1920.~~

~~(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (E) OF THIS SECTION, THE CORPS IS EXEMPT FROM:~~

~~(1) TITLE 10 AND DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

~~(2) §§ 10 505 AND 10 507 OF THE STATE GOVERNMENT ARTICLE.~~

~~(B) THE CORPS IS SUBJECT TO THE PUBLIC INFORMATION ACT.~~

~~(C) SUBJECT TO § 8 1915(B)(2) OF THIS SUBTITLE, THE BOARD AND THE OFFICERS AND EMPLOYEES OF THE CORPS ARE SUBJECT TO THE PUBLIC ETHICS LAW.~~

~~(D) THE OFFICERS AND EMPLOYEES OF THE CORPS ARE NOT SUBJECT TO THE PROVISIONS OF DIVISION I OF THE STATE PERSONNEL AND PENSIONS ARTICLE THAT GOVERN THE STATE PERSONNEL MANAGEMENT SYSTEM.~~

~~(E) THE CORPS, ITS BOARD, AND ITS EMPLOYEES ARE SUBJECT TO TITLE 12, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~§ 1921.~~

~~THE CORPS MAY:~~

~~(1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;~~

~~(2) ADOPT A SEAL;~~

~~(3) MAINTAIN OFFICES AT A PLACE THE CORPS DESIGNATES IN THE STATE;~~

~~(4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR UNIVERSITY, OR A PRIVATE SOURCE;~~

- ~~(5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;~~
- ~~(6) SUE OR BE SUED;~~
- ~~(7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:~~
 - ~~(I) A FRANCHISE, PATENT, OR LICENSE;~~
 - ~~(II) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE PROPERTY; OR~~
 - ~~(III) AN INTEREST IN THE PROPERTY LISTED IN THIS ITEM;~~
- ~~(8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT THE CORPS ACQUIRES;~~
- ~~(9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND CHARGES FOR SERVICES AND RESOURCES THE CORPS PROVIDES OR MAKES AVAILABLE;~~
- ~~(10) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, OR ANOTHER ENTITY, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT;~~
- ~~(11) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD CONFLICT WITH STATE LAW; AND~~
- ~~(12) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS GRANTED BY THIS PART.~~

~~§ 1922.~~

~~THE CORPS MAY:~~

- ~~(1) ACQUIRE, DEVELOP, IMPROVE, MANAGE, MARKET, LICENSE, SUBLICENSE, MAINTAIN, LEASE AS LESSOR OR LESSEE, OR OPERATE A PROJECT IN THE STATE TO CARRY OUT ITS PURPOSES;~~
- ~~(2) ACQUIRE, DIRECTLY OR INDIRECTLY, FROM A PERSON OR POLITICAL SUBDIVISION, BY PURCHASE, GIFT, OR DEVISE ANY PROPERTY, RIGHTS OF WAY, FRANCHISES, EASEMENTS, OR OTHER INTERESTS IN LAND, INCLUDING SUBMERGED LAND AND RIPARIAN RIGHTS;~~

~~(I) AS NECESSARY OR CONVENIENT TO IMPROVE OR OPERATE A PROJECT TO CARRY OUT ITS PURPOSES; AND~~

~~(II) ON THE TERMS AND AT THE PRICES THAT THE CORPS CONSIDERS REASONABLE; AND~~

~~(3) ENTER INTO A PROJECT TO CARRY OUT ITS PURPOSES.~~

~~§ 1923. 8-1917.~~

~~(A) THE CORPS SHALL DEVELOP A PROGRAM OF FULL AND PART TIME PUBLIC SERVICE THAT INVOLVES CITIZENS OF ALL AGES THROUGHOUT THE STATE IN CARRYING OUT THIS PART.~~

~~(B) FOR ITS STIPEND VOLUNTEER PROGRAMS, THE CORPS SHALL RECRUIT PRINCIPALLY INDIVIDUALS WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OF AGE AND NOT MORE THAN 25 YEARS OF AGE.~~

~~(C) FOR SUMMER PROGRAMS, THE CORPS MAY ALSO RECRUIT INDIVIDUALS AT LEAST 14 YEARS OF AGE AND NOT MORE THAN 21 YEARS OF AGE AT THE TIME OF THE ENROLLMENT.~~

~~(D) IN ADDITION, THE CORPS SHALL RECRUIT SENIOR RETIRED AND SEMIRETIRED AND OTHER QUALIFIED INDIVIDUALS WITH RELEVANT EXPERIENCE TO PARTICIPATE IN CORPS PROJECTS AND VOLUNTEER THEIR EXPERIENCE AND SKILLS.~~

~~(E) THE CORPS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.~~

(A) (1) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS FOR THE CREATION OR EXPANSION OF FULL- AND PART-TIME CHESAPEAKE CONSERVATION CORPS PROGRAMS, THAT INVOLVE CITIZENS OF ALL AGES THROUGHOUT THE STATE, TO CARRY OUT THIS PART.

(2) CORPS PROGRAMS SHALL ENGAGE AND DEVELOP VOLUNTEERS AND STIPEND VOLUNTEERS IN ENVIRONMENTAL AND ENERGY CONSERVATION PROJECTS.

(3) ELIGIBLE CORPS PROGRAM EXPENSES INCLUDE PERSONNEL COSTS, STIPENDS, SUPPLIES, AND OTHER MATERIALS FOR PROJECTS UNDERTAKEN BY CORPS PROGRAM VOLUNTEERS.

(B) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL DEVELOP GUIDELINES FOR EVALUATING APPLICATIONS FROM QUALIFIED ORGANIZATIONS.

(C) THE GUIDELINES DEVELOPED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL:

(1) CONSIDER THE CAPABILITY OF THE QUALIFIED ORGANIZATION TO CARRY OUT CORPS PROGRAMS OR PROJECTS;

(2) ENCOURAGE AND CONSIDER MULTIYEAR, MULTIPARTNER PROPOSALS, LOCAL MATCH, COST-SHARING AGREEMENTS, AND IN-KIND MATCH AS FACTORS IN EVALUATING CORPS PROGRAM GRANT APPLICATIONS; AND

(3) REQUIRE GRANT APPLICATIONS TO DESCRIBE HOW THE QUALIFYING ORGANIZATION INTENDS TO:

(I) ASSESS THE SKILLS OF CORPS PROGRAM VOLUNTEERS;

(II) PROVIDE LIFE SKILLS AND WORK SKILLS TRAINING;

(III) PROVIDE TRAINING AND EDUCATION, IN ADDITION TO THE TRAINING PROVIDED AS A PART OF THE MAIN CORPS PROGRAM;

(IV) DEVELOP, WHERE RELEVANT, AGREEMENTS FOR ACADEMIC STUDY WITH:

1. LOCAL EDUCATION AGENCIES;

2. COMMUNITY COLLEGES;

3. 4-YEAR COLLEGES;

4. AREA CHARTER HIGH SCHOOLS AND VOCATIONAL-TECHNICAL SCHOOLS; AND

5. COMMUNITY-BASED ORGANIZATIONS;

(V) PROVIDE CAREER AND EDUCATIONAL GUIDANCE;

(VI) RECRUIT PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS; AND

(VII) RECRUIT RETIRED AND SEMI-RETIRED SENIORS AND OTHER QUALIFIED INDIVIDUALS WITH RELEVANT EXPERIENCE TO TRAIN CORPS PROGRAM VOLUNTEERS AND PARTICIPATE IN CORPS PROJECTS BY VOLUNTEERING THEIR EXPERIENCE AND SKILLS.

(D) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST SHALL:

(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER THE GRANT, INCLUDING ACCOUNTABILITY MEASURES AND PERFORMANCE REQUIREMENTS;

(2) TAKE INTO ACCOUNT THE NEED FOR EFFICIENT MULTIYEAR FUNDING AND ADMINISTRATION OF THE FUNDS; AND

(3) INCLUDE PROVISIONS FOR VERIFICATION THAT CORPS PROGRAMS AND PROJECTS ARE BEING IMPLEMENTED AS PLANNED.

~~§ 1924. 8-1918.~~

~~(A) THE NUMBER OF STIPEND VOLUNTEERS IN THE CORPS SHALL BE DETERMINED BY THE EXECUTIVE DIRECTOR BASED ON THE NEEDS OF THE COMMUNITY AND THE LIMITS OF BUDGETARY APPROPRIATIONS.~~

~~(B) (1) A STIPEND VOLUNTEER IN THE CORPS SHALL MAKE A COMMITMENT OF AT LEAST 6 MONTHS OF FULL-TIME SERVICE.~~

(A) (1) FOR STIPEND VOLUNTEER PROGRAMS, THE TRUST AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM 6-MONTH COMMITMENT WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OF AGE AND NOT MORE THAN 25 YEARS OF AGE.

(2) FOR SUMMER VOLUNTEER PROGRAMS, INCLUDING SUMMER STIPEND PROGRAMS, THE TRUST AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 15 YEARS OF AGE AND NOT MORE THAN 18 YEARS OF AGE.

(B) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.

~~(2)~~ (C) A STIPEND VOLUNTEER:

~~(1)~~ (1) MAY NOT RECEIVE A SALARY AS A STIPEND VOLUNTEER; BUT

~~(H) (2) SHALL MAY RECEIVE A STIPEND, AS DETERMINED BY THE EXECUTIVE DIRECTOR TRUST, BASED ON THE NEEDS OF THE STIPEND VOLUNTEER AND THE LIMITS OF BUDGETARY APPROPRIATIONS.~~

~~(E) (D) (1) A MEMBER OF THE CORPS STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY PARTISAN POLITICAL ACTIVITY WHILE ENGAGED IN THE PERFORMANCE OF DUTIES AS A STIPEND VOLUNTEER.~~

(2) THIS PART IS EFFECTIVE ONLY TO THE EXTENT THAT IT DOES NOT CONFLICT WITH ANY FEDERAL OR STATE LAWS OR REGULATIONS RELATING TO PARTICIPATION IN PARTISAN POLITICAL ACTIVITIES.

~~(D) THE CORPS SHALL WORK WITH COMMUNITY AND ADVOCACY GROUPS TO FIND INDIVIDUALS WILLING TO HOST STIPEND VOLUNTEERS IN THEIR HOMES.~~

~~(E) (1) IN COOPERATION WITH THE UNIVERSITY SYSTEM OF MARYLAND, THE CORPS SHALL DEVELOP COURSE CREDIT ARRANGEMENTS UNDER WHICH STUDENTS MAY EARN COURSE CREDITS FOR PARTICIPATION IN CORPS PROGRAMS AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND IN A STIPEND VOLUNTEER PROGRAM OR ANOTHER VOLUNTEER CORPS PROGRAM.~~

~~(2) THE CORPS MAY ENTER INTO SIMILAR COURSE CREDIT ARRANGEMENTS WITH ANY INSTITUTION OF HIGHER EDUCATION IN THE STATE.~~

~~(F) IN CONSULTATION WITH THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT AND OTHER APPROPRIATE UNITS AND PRIVATE SECTOR ENTITIES, THE CORPS SHALL DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS, IN ORDER TO ALLOW STUDENTS TO DEVELOP APPROPRIATE SKILLS, INCLUDING YOUNGER STUDENTS WHO WILL BE PARTICIPATING IN A STIPEND VOLUNTEER POSITION.~~

~~(G) THE CORPS SHALL DEVELOP INCENTIVES FOR VOLUNTEER SERVICE INCLUDING STUDENT LOAN FORGIVENESS AND OTHER APPROPRIATE MECHANISMS.~~

(3) A VOLUNTEER OR STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY REGULATORY OR STATUTORY ENFORCEMENT ACTIVITIES WHILE ENGAGED IN THE PERFORMANCE OF DUTIES AS A MEMBER OF THE CORPS PROGRAM.

8-1919.

(A) THE TRUST SHALL PROVIDE TECHNICAL ASSISTANCE TO QUALIFIED ORGANIZATIONS THAT REQUEST ASSISTANCE.

(B) THE TRUST SHALL CONVENE CHESAPEAKE CONSERVATION CORPS PROGRAM PARTICIPANTS ON A REGULAR BASIS IN ORDER TO:

(1) PROMOTE TEAM BUILDING AMONG THE PARTICIPANTS;

(2) DEVELOP AN UNDERSTANDING OF THE OVERALL CORPS PROGRAM PURPOSE;

(3) SHARE INFORMATION ABOUT BEST PRACTICES;

(4) RECOGNIZE EXCELLENCE; AND

(5) PROVIDE TRAINING AND OTHER LEARNING OPPORTUNITIES.

(C) IN PROVIDING TRAINING AND TECHNICAL ASSISTANCE, THE TRUST MAY CONTRACT WITH AN ORGANIZATION WITH A PROVEN TRACK RECORD OF DEVELOPING AND SUSTAINING CORPS PROGRAMS, WORKING WITH THE CONSERVATION CORPS MODEL, AND ENGAGING YOUNG PEOPLE FROM DISADVANTAGED BACKGROUNDS.

~~8-1925.~~ 8-1920.

(A) THE CORPS ~~SHALL UNDERTAKE~~ PROGRAM'S PROJECTS AND ACTIVITIES ~~THAT~~ SHALL MEET AN IDENTIFIABLE PUBLIC NEED, WITH SPECIFIC EMPHASIS ON PROJECTS THAT RESULT IN LONG-TERM PRESERVATION, PROTECTION, AND CONSERVATION OF THE ENVIRONMENT, IN AREAS INCLUDING ENVIRONMENTAL RESTORATION, AGRICULTURAL AND FORESTRY, INFRASTRUCTURE, AND EDUCATIONAL IMPROVEMENTS.

(B) ENVIRONMENTAL RESTORATION PROJECTS MAY INCLUDE:

(1) SPECIFIC NUTRIENT REDUCTION ACTIVITIES, SUCH AS PLANTING OF BAY GRASSES AND OYSTERS AND INSTALLING NATURAL SHORELINES ON PUBLIC SPACES; AND

(2) WORKING WITH COMMUNITIES TO IMPROVE THEIR ENVIRONMENTAL IMPACTS AND ACTIVITIES AND TO ENCOURAGE APPROPRIATE ENVIRONMENTAL STEWARDSHIP.

(C) AGRICULTURAL AND FORESTRY PROJECTS MAY INCLUDE WORKING WITH CORPS PROGRAM VOLUNTEERS FROM RURAL AREAS OF THE STATE IN PARTNERSHIP WITH THE AGRICULTURAL COMMUNITY IN PROJECTS TO PREVENT OR REDUCE NUTRIENT RUNOFF.

(D) INFRASTRUCTURE PROJECTS MAY INCLUDE:

(1) IMPROVING THE ENERGY EFFICIENCY OF HOUSING FOR ELDERLY AND LOW-INCOME HOUSEHOLDS;

(2) IMPLEMENTING CLEAN ENERGY PROJECTS IN COMMUNITIES TO ENHANCE THE USE OF RENEWABLE ENERGY ~~AND DECREASE RELIANCE ON FOSSIL FUELS~~, INCLUDING FREE AND LOW-COST ENERGY AUDITS; AND

(3) BUILDING OR ASSISTING IN BUILDING INFRASTRUCTURE TO PROMOTE ENVIRONMENTAL EDUCATION INCLUDING OUTDOOR CLASSROOMS, NATURE TRAILS, AND SCHOOLYARD HABITATS AND WATERSHED RESTORATION, STREAM RESTORATION, RAIN GARDENS, AND OTHER LOW-IMPACT DEVELOPMENT PROJECTS.

(E) EDUCATIONAL PROJECTS MAY INCLUDE:

(1) DEVELOPING INTERACTIVE ENVIRONMENTAL EDUCATION AND ENERGY CONSERVATION EDUCATION FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS AND THE PUBLIC;

(2) DEVELOPING CURRICULUM TARGETED AT TRAINING HIGH SCHOOL STUDENTS AND APPRENTICES TO OBTAIN SKILLS NECESSARY TO CREATE AND IMPLEMENT CLEAN ENERGY PROJECTS IN THEIR COMMUNITIES AND TO COMPETE FOR JOBS IN THE EMERGING CLEAN ENERGY SECTOR; AND

(3) ASSISTING SCHOOLS TO BECOME “GREEN SCHOOLS” AND REDUCE ENERGY COSTS THROUGH HANDS-ON PROJECTS WITH THEIR STUDENTS.

(F) ENERGY CONSERVATION PROJECTS MAY INCLUDE THE PROJECTS DEFINED IN § 8-1913(D) OF THIS PART.

~~§ 1926.~~ 8-1921.

~~A DEBT, CLAIM, LIABILITY, OR AN OBLIGATION OF THE CORPS OR ANY SUBSIDIARY IS NOT:~~

~~(1) A DEBT, CLAIM, LIABILITY, OR AN OBLIGATION OF THE STATE, A UNIT OR AN INSTRUMENTALITY OF THE STATE, OR OF A STATE OFFICER OR STATE EMPLOYEE; OR~~

~~(2) A PLEDGE OF THE CREDIT OF THE STATE.~~

(A) FOR FISCAL YEARS 2011 THROUGH 2015, THE CORPS PROGRAM SHALL BE FUNDED WITH:

(1) THE AMOUNT SPECIFIED IN § 3-302(D) OF THIS ARTICLE; AND

(2) UP TO \$250,000 IN ADDITIONAL FUNDS THAT MAY BE ALLOCATED BY THE TRUST THROUGH ITS ANNUAL BUDGET PROCESS.

(B) THE TRUST AND THE CORPS BOARD SHALL SEEK FEDERAL FUNDS AND GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR THE PURPOSE OF LONG-TERM FUNDING OF THE CORPS PROGRAM.

~~§ 1927. 8-1922.~~

COLLEGES AND UNIVERSITIES MAY:

(1) CONTRACT WITH THE TRUST TO CARRY OUT CORPS PROGRAM WORK;

(2) ASSIGN TO THE ~~CORPS~~ TRUST RESOURCES TO ASSIST IN ITS CORPS PROGRAM WORK, DEVELOPMENT, AND ACTIVITIES; AND

(3) ASSIGN FACULTY AND STAFF TO THE ~~CORPS~~ TRUST FOR THE PURPOSE OF CARRYING OUT OR ASSISTING WITH CORPS PROGRAMS.

~~§ 1928. 8-1923.~~

(A) IN DEVELOPING ITS PROGRAMS AND SEEKING FEDERAL AND STATE GRANTS, THE TRUST AND THE CORPS IS ENCOURAGED TO SEEK ASSISTANCE AND ADVICE FROM MANY RELEVANT PUBLIC AND PRIVATE SOURCES BOARD SHALL:

(1) COORDINATE ALL EFFORTS WITH THE MARYLAND CONSERVATION CORPS ESTABLISHED IN TITLE 5, SUBTITLE 2 OF THIS ARTICLE TO ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;

(2) COORDINATE ALL EFFORTS WITH THE CIVIC JUSTICE CORPS, AN ADJUNCT PROGRAM OF THE MARYLAND CONSERVATION CORPS, TO ENGAGE YOUTH IN CONSERVATION SERVICE PROJECTS; AND

(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND PRIVATE SOURCES.

(B) IN DEVELOPING CLEAN ENERGY INFRASTRUCTURE AND EDUCATIONAL PROGRAMS, THE TRUST AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH THE MARYLAND CLEAN ENERGY CENTER UNDER TITLE 10, SUBTITLE 8 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(C) IN DEVELOPING ITS VOLUNTEER PROGRAMS, THE TRUST AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH ~~THE~~ :

(I) THE MARYLAND SERVICE CORPS AND THE GOVERNOR'S OFFICE ON SERVICE AND VOLUNTEERISM UNDER TITLE 9.5, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;

(II) THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT AND OTHER APPROPRIATE UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND

(III) THE UNIVERSITY SYSTEM OF MARYLAND AND OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE TO DEVELOP OPPORTUNITIES FOR COURSE CREDIT ARRANGEMENTS THROUGH WHICH STUDENTS MAY EARN COURSE CREDITS FOR PARTICIPATION IN CORPS PROGRAMS AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND IN A STIPEND VOLUNTEER OR OTHER VOLUNTEER CORPS PROGRAM.

~~§ 1929.~~

~~THE CORPS IS EXEMPT FROM STATE AND LOCAL TAXES.~~

~~§ 1930.~~

~~THE BOOKS AND RECORDS OF THE CORPS ARE SUBJECT TO AUDIT:~~

~~(1) AT ANY TIME BY THE STATE; AND~~

~~(2) EACH YEAR BY AN INDEPENDENT AUDITOR THAT THE OFFICE OF LEGISLATIVE AUDITS APPROVES.~~

~~§ 1931, 8-1924.~~

(A) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE TRUST, IN CONSULTATION WITH THE CORPS BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL STATEMENT COVERING THE OPERATIONS OF THE CORPS BOARD AND A SUMMARY OF THE ACTIVITIES OF THE CORPS BOARD DURING THE PRECEDING FISCAL YEAR.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The terms of the initial members of the Advisory Board of Directors of the Chesapeake Conservation Corps Program established under Section 2 of this Act appointed by the Governor shall expire as follows:

(1) two members appointed by the Governor and two members appointed by the Chair of the Board of Trustees of the Chesapeake Bay Trust, on June 30, 2015;

(2) the member appointed by the Chancellor of the University System of Maryland and one member appointed by the Governor, on June 30, 2014;

(3) ~~two members~~ one member appointed by the Governor and one member appointed by the Chair of the Board of Trustees of the Chesapeake Bay Trust, on June 30, 2013; and

(4) one member appointed by the Governor, on June 30, 2012.

(b) The terms of the initial members of the Advisory Board of Directors of the Chesapeake Conservation Corps Program appointed by the President of the Senate and the Speaker of the House shall expire on June 30, 2014.

SECTION 4. AND BE IT FURTHER ENACTED, That the Chesapeake Bay Trust, in consultation with the Advisory Board of the Chesapeake Conservation Corps Program, shall:

(a) develop a plan for the recruitment of volunteers to participate in the Chesapeake Conservation Corps Program that incorporates direct volunteer recruitment with focus on young individuals from disadvantaged backgrounds, as well as recruitment through qualified organizations; and

(b) develop a plan to centrally administer volunteer stipend payments;

(c) develop a plan that establishes mechanisms that are intended to assist in team building among volunteer participants and increase the understanding and sense of commitment to the overall Chesapeake Conservation Corps Program by volunteer participants, including measures that uniformly identify Chesapeake Conservation Corps Program volunteer participants to the public while a project is carried out; and

~~(b)~~ (d) provide a draft of the ~~plan~~ plans required under this section to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee for review and comment at least 30 days prior to the adoption and implementation of the ~~plan~~ plans by the Chesapeake Bay Trust.

SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010.

Approved by the Governor, May 4, 2010.