

SENATE BILL 467

M1

9lr2588
CF HB 488

By: **Senator King**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Forestry – Mel Noland Fellowship Program – Establishment**

3 FOR the purpose of establishing the Mel Noland Fellowship Program in the Department of
4 Natural Resources; establishing the purpose of the Fellowship Program; requiring
5 the Department to develop criteria for the selection of fellows and receiving
6 organizations; requiring the Department to select a certain number of fellows and
7 place them in receiving organizations working in certain areas; requiring a fellow to
8 receive a certain stipend in addition to a certain salary; renaming a certain special
9 fund to be the Mel Noland Woodland Incentives and Fellowship Fund; expanding the
10 authorized uses of the Fund to include funding the Fellowship Program; expanding
11 the sources of the Fund; requiring the Governor to appropriate a certain amount to
12 the Fund for certain fiscal years; requiring the Department to direct a certain
13 amount from the Fund to the Fellowship Program for certain purposes in certain
14 fiscal years; defining certain terms; altering certain definitions; and generally
15 relating to the Mel Noland Fellowship Program.

16 BY repealing and reenacting, without amendments,
17 Article – Natural Resources
18 Section 5–301(a)
19 Annotated Code of Maryland
20 (2018 Replacement Volume)

21 BY repealing and reenacting, with amendments,
22 Article – Natural Resources
23 Section 5–301(g) and 5–307 to be under the amended subtitle “Subtitle 3. Woodland
24 Incentives and Mel Noland Fellowship Programs”
25 Annotated Code of Maryland
26 (2018 Replacement Volume)

27 BY adding to
28 Article – Natural Resources

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 5–308
2 Annotated Code of Maryland
3 (2018 Replacement Volume)

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

6 **Article – Natural Resources**

7 Subtitle 3. Woodland Incentives [Program] AND MEL NOLAND FELLOWSHIP
8 PROGRAMS.

9 5–301.

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

11 (g) “Mel Noland Woodland Incentives AND FELLOWSHIP Fund” means the
12 special fund established in the State Treasury under § 5–307 of this subtitle.

13 5–307.

14 (a) In this section, “Fund” means the Mel Noland Woodland Incentives AND
15 FELLOWSHIP Fund.

16 (b) There is a Mel Noland Woodland Incentives AND FELLOWSHIP Fund in the
17 Department.

18 (c) The purpose of the Fund is to finance [the]:

19 (1) THE Woodland Incentives Program and the cost–share assistance
20 established under this subtitle; AND

21 (2) THE MEL NOLAND FELLOWSHIP PROGRAM ESTABLISHED UNDER
22 THIS SUBTITLE.

23 (d) The Department shall administer the Fund.

24 (e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
25 the State Finance and Procurement Article.

26 (2) The Treasurer shall hold the Fund separately and the Comptroller shall
27 account for the Fund.

28 (f) (1) The Fund consists of:

1 ~~[(1)]~~ **(I)** As provided in § 13–306 of the Tax – Property Article, up to
2 \$200,000 annually of the proceeds of the tax imposed by § 13–302 of the Tax – Property
3 Article that are attributable to the taxation of instruments of writing that transfer title to
4 parcels of land that are entirely woodland;

5 ~~[(2)]~~ **(II)** Revenues collected by the Department from the payment of
6 charges imposed for Department assistance in implementation of an approved practice;

7 ~~[(3)]~~ **(III)** Money distributed from the Chesapeake and Atlantic Coastal
8 Bays 2010 Trust Fund under § 8–2A–04 of this article; ~~[and]~~

9 ~~[(4)]~~ **(IV)** Subject to approval by the Secretary and the Board of Public
10 Works, a portion of the revenues derived from the forestry practices on designated lands
11 owned and managed by the Department, that are conducted in accordance with applicable
12 State law and regulation; **AND**

13 **(V) MONEY APPROPRIATED TO THE FUND UNDER PARAGRAPH**
14 **(2) OF THIS SUBSECTION.**

15 **(2) FOR FISCAL YEAR 2021 AND EACH SUBSEQUENT FISCAL YEAR,**
16 **THE GOVERNOR SHALL APPROPRIATE \$50,000 TO THE FUND.**

17 (g) The Department shall use the Fund:

18 (1) To help fund the Woodland Incentives Program and the cost–share
19 assistance established under this subtitle;

20 **(2) TO FUND THE MEL NOLAND FELLOWSHIP PROGRAM**
21 **ESTABLISHED UNDER THIS SUBTITLE;**

22 **(3)** For administrative costs calculated in accordance with § 1–103(b)(2) of
23 this article;

24 ~~[(3)]~~ **(4)** To offset the costs of the Forest and Park Service for developing
25 and approving forest stewardship plans on privately owned forest lands;

26 ~~[(4)]~~ **(5)** To provide annual grants to the forest conservancy district
27 boards under § 5–605 of this title, to help facilitate their respective outreach efforts to
28 encourage forest land owners to develop forest stewardship and other forest conservation
29 management plans;

30 ~~[(5)]~~ **(6)** To establish a forest health emergency contingency program to
31 help:

32 (i) Maintain the health and vitality of publicly owned and privately
33 owned forest lands; and

1 (ii) Prevent or control large degradation caused by natural threats;

2 **[(6)] (7)** To provide financial assistance, as provided in the State budget,
3 for the administration of an urban and community forestry program established under §
4 5–426 of this title, including:

5 (i) Increasing the number of communities with tree canopy goals;

6 (ii) Facilitating compliance with the Chesapeake Bay Program’s
7 forestry targets;

8 (iii) Supporting the use of urban tree canopy expansion for air quality
9 improvement purposes; and

10 (iv) Helping achieve implementation of Regional Greenhouse Gas
11 Initiative offset opportunities in urban areas;

12 **[(7)] (8)** To help fund a forest marketing and utilization program in the
13 Department to provide financial assistance to help support, stimulate, and market
14 innovative and creative ways to enhance the production of value-added wood products;

15 **[(8)] (9)** To help the Department, in cooperation with appropriate public
16 and private sector entities, develop and expand:

17 (i) A forest mitigation banking system;

18 (ii) A carbon credit or carbon sequestration program;

19 (iii) A clean water credit trading system;

20 (iv) An environmental services credit trading program; and

21 (v) A renewable energy credit trading system; and

22 **[(9)] (10)** To help offset administrative costs for providing staff assistance
23 to the Sustainable Forestry Council established under § 5–204 of this title.

24 (h) The amount of revenues collected under subsection **[(f)(1)] (F)(1)(I)** of this
25 section shall be included in the report required under § 16–103 of the Local Government
26 Article.

27 (i) **(1)** The amount of the grants under subsection **[(g)(4)] (G)(5)** of this section
28 shall be determined by the Department and eligibility for the grants shall be contingent on
29 each board providing an in-kind match as certified by the Secretary.

1 **(2) FOR FISCAL YEAR 2021 AND EACH SUBSEQUENT FISCAL YEAR,**
2 **THE DEPARTMENT SHALL DIRECT \$50,000 FROM THE FUND TO THE MEL NOLAND**
3 **FELLOWSHIP PROGRAM FOR THE PURPOSE OF:**

4 **(I) PAYING STIPENDS TO FELLOWS, IN ACCORDANCE WITH §**
5 **5-308 OF THIS SUBTITLE; AND**

6 **(II) OFFSETTING THE COST TO THE DEPARTMENT OF**
7 **ADMINISTERING THE MEL NOLAND FELLOWSHIP PROGRAM, INCLUDING THE COST**
8 **OF RECRUITING, SELECTING, AND MANAGING FELLOWS.**

9 (j) On or before September 30 of each year, the Department shall report to the
10 Senate Education, Health, and Environmental Affairs Committee and the House
11 Environment and Transportation Committee, in accordance with § 2-1246 of the State
12 Government Article, on the use of funds credited to the Fund, including an identification of
13 and the reasons for those revenues derived from forestry practices on designated lands
14 owned and managed by the Department that were not credited to the Fund.

15 (k) (1) The Treasurer shall invest the money of the Fund in the same manner
16 as other State money may be invested.

17 (2) Any investment earnings of the Fund shall be credited to the General
18 Fund of the State.

19 (l) Expenditures from the Fund may be made only in accordance with the State
20 budget.

21 **5-308.**

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

24 **(2) “FELLOW” MEANS AN INDIVIDUAL SELECTED TO PARTICIPATE IN**
25 **THE FELLOWSHIP PROGRAM.**

26 **(3) “FELLOWSHIP PROGRAM” MEANS THE MEL NOLAND**
27 **FELLOWSHIP PROGRAM.**

28 **(4) “RECEIVING ORGANIZATION” MEANS AN ORGANIZATION WHERE A**
29 **FELLOW IS PLACED.**

30 **(B) THERE IS A MEL NOLAND FELLOWSHIP PROGRAM IN THE**
31 **DEPARTMENT.**

1 **(C) THE PURPOSE OF THE FELLOWSHIP PROGRAM IS TO SUPPORT THE**
2 **PROFESSIONAL DEVELOPMENT OF INDIVIDUALS BEGINNING A CAREER IN**
3 **FORESTRY MANAGEMENT.**

4 **(D) THE DEPARTMENT SHALL DEVELOP CRITERIA FOR THE SELECTION OF:**

5 **(1) FELLOWS; AND**

6 **(2) RECEIVING ORGANIZATIONS.**

7 **(E) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, EACH YEAR,**
8 **THE DEPARTMENT SHALL SELECT TWO FELLOWS AND PLACE THEM IN RECEIVING**
9 **ORGANIZATIONS.**

10 **(2) ONE FELLOW SHALL BE PLACED AT A RECEIVING ORGANIZATION**
11 **WORKING IN THE AREA OF FORESTRY MANAGEMENT.**

12 **(3) ONE FELLOW SHALL BE PLACED AT A RECEIVING ORGANIZATION**
13 **WORKING IN THE AREA OF URBAN AND COMMUNITY FORESTRY.**

14 **(F) IN ADDITION TO ANY SALARY PROVIDED BY THE RECEIVING**
15 **ORGANIZATION, A FELLOW SHALL RECEIVE AN ANNUAL STIPEND OF \$20,000 PAID**
16 **FROM THE MEL NOLAND WOODLAND INCENTIVES AND FELLOWSHIP FUND.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2019.