

HB0943/900518/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 943

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, 4, 13, 18, and 21, in each instance, after “Corps” insert “Program”; strike beginning with “as” in line 3 down through “corporate” in line 4; in line 4, after “a” insert “Corps”; strike beginning with the second “of” in line 4 down through “Corps” in line 5; in line 5, after “duties,” insert “staff,”; in the same line, after “terms;” insert “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;”; strike beginning with “providing” in line 6 down through “Corps;” in line 10; in line 10, after “Corps” insert “Program”; in line 11, strike “requiring the Corps to develop and implement” and substitute “establishing certain requirements for”; in line 13, strike “encouraging and”; in lines 14 and 17, in each instance, after “Corps” insert “Board”; in line 17, after “matters;” insert “requiring the Trust, in consultation with the Corps Board, to develop certain plans and provide certain drafts of certain plans to certain committees for a certain purpose;”; in line 20, after the second “the” insert “Corps”; and strike beginning with “providing” in line 15 down through “audit;” in line 16.

On page 2, in line 3, after “3-302(a)” insert “, (c), and (e)”; in line 8, strike “3-302(c)(1)(v)” and substitute “3-302(d)”; in line 13, strike “3-302(f);” in line 14, strike “Related Units” and substitute “Programs”; in line 15, strike “8-1931” and substitute “8-1924”; and in line 16, after “Corps” insert “Program”.

AMENDMENT NO. 2

On page 3, in line 8, after “(1)” insert “(i) The Secretary shall administer the Fund.”

(Over)

(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.”;

strike beginning with the colon in line 9 down through the first bracket in line 10; in line 10, strike “] CARRY”; strike beginning with the semicolon in line 11 down through “ARTICLE” in line 14; after line 14, insert:

“(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.”;

and strike in their entirety lines 15 through 20, inclusive.

AMENDMENT NO. 3

On page 3, in line 21, strike “**RELATED UNITS**” and substitute “**PROGRAMS**”.

On page 4, in line 13, after “**CORPS**” insert “**PROGRAM**”; in line 17, before the first “**BOARD**” insert “**CORPS**”; in the same line, after the first “**THE**” insert “**ADVISORY**”; in the same line, strike “**OF DIRECTORS**”; in lines 17 and 18, in each instance, after “**CORPS**” insert “**PROGRAM**”; in line 19, strike “**SUBTITLE**” and substitute “**PART**”; and strike beginning with “**EXECUTIVE**” in line 20 down through “**CORPS**” in line 21 and substitute “**ENERGY CONSERVATION PROJECT**” MEANS A PROJECT TO PROMOTE ENERGY CONSERVATION OR EFFICIENCY, INCLUDING A PROJECT TO:

(Over)

(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, 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”.

AMENDMENT NO. 4

On page 4, in line 23, after “CORPS” insert “PROGRAM ADMINISTERED BY THE TRUST, IN CONSULTATION WITH THE CORPS BOARD”.

On pages 4 and 5, strike beginning with “(1)” in line 24 on page 4 down through “(D)” in line 3 on page 5.

On page 5, in line 3, strike “PURPOSES” and substitute “PURPOSE”; in the same line, after “CORPS” insert “PROGRAM”; in the same line, strike “ARE” and substitute “IS”; strike beginning with “A” in line 28 down through “(B)” in line 30; in line 30, after “(1)” insert “THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE TRUST IN THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.”

(2);

in line 30, after “THE” insert “CORPS”; and in line 31, strike “TWO MEMBERS” and substitute “ONE MEMBER”.

(Over)

On page 6, in line 1, strike “**TWO MEMBERS**” and substitute “**ONE MEMBER**”; in line 5, after the first “**THE**” insert “**CORPS**”; in line 6, strike the second “**AND**”; after line 6, insert:

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

in line 7, strike “**(IV) SIX**” and substitute “**(V) FIVE**”; in line 10, after “**SERVICE**” insert “**AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT**”; in line 11, strike “**(2)**” and substitute “**(3)**”; in line 12, after the first “**THE**” insert “**CORPS**”; in lines 16, 17, 21, and 27, respectively, strike “**(C)**”, “**(D)**”, “**(E)**”, and “**(F)**” and substitute “**(B)**”, “**(C)**”, “**(D)**”, and “**(E)**”, respectively; in lines 16 and 17, in each instance, after the first “**THE**” insert “**CORPS**”; and in lines 21 and 22, in each instance, after “**THE**” insert “**CORPS**”.

On page 7, in lines 6 and 9, strike “**(G)**” and “**(H)**”, respectively, and substitute “**(F)**” and “**(G)**”, respectively; in lines 9 and 11, in each instance, after “**THE**” insert “**CORPS**”; in line 14, before “**FROM**” insert “**(A)**”; in the same line, after “**THE**” insert “**CORPS**”; in the same line, strike the second comma and substitute “**AND**”; in line 15, strike “, **AND A TREASURER**”; and after line 15, insert:

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

On pages 7 through 10, strike in their entirety the lines beginning with line 16 on page 7 through line 27 on page 10, inclusive.

AMENDMENT NO. 5

On page 10, in line 28, strike “**8-1923.**” and substitute “**8-1917.**”.

On pages 10 and 11, strike in their entirety the lines beginning with line 29 on page 10 through line 13 on page 11, inclusive, and substitute:

“(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

(Over)

(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.”.

AMENDMENT NO. 6

On page 11, in line 14, strike “8-1924.” and substitute “8-1918.”; strike in their entirety lines 15 through 19, inclusive, and substitute:

“(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

(Over)

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.”;

in line 20, strike “(2)” and substitute “(C)”; in lines 21 and 23, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively; in line 23, strike “SHALL” and substitute “MAY”; in line 24, strike “EXECUTIVE DIRECTOR” and substitute “TRUST”; in line 26, strike “(C)” and substitute “(D)”; and in the same line, strike “MEMBER OF THE CORPS” and substitute “STIPEND VOLUNTEER”.

On page 12, strike in their entirety lines 1 through 21, inclusive, and substitute:

“(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.

AMENDMENT NO. 7

On page 12, in line 22, strike “8-1925.” and substitute “8-1920.”; in line 23, strike “SHALL UNDERTAKE” and substitute “PROGRAM’S”; in the same line, strike “THAT” and substitute “SHALL”; in line 26, after “ENVIRONMENTAL” insert “RESTORATION”; and in line 29, after “ENVIRONMENTAL” insert “RESTORATION”.

On page 13, in line 2, after “CORPS” insert “PROGRAM”; strike beginning with “AND” in line 9 down through “FUELS” in line 10; in line 13, after “HABITATS” insert “AND WATERSHED RESTORATION, STREAM RESTORATION, RAIN GARDENS, AND OTHER LOW-IMPACT DEVELOPMENT PROJECTS”; after line 24, insert:

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

in line 25, strike “8-1926.” and substitute “8-1921.”; and strike in their entirety lines 26 through 31, inclusive, and substitute:

“(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.”

On page 14, in line 1, strike “8-1927.” and substitute “8-1922.”; in line 3, after “THE” insert “TRUST TO CARRY OUT”; in the same line, after “CORPS” insert “PROGRAM WORK”; in line 4, strike “CORPS” and substitute “TRUST”; in the same line, after “ITS” insert “CORPS PROGRAM WORK,”; in line 5, after “DEVELOPMENT” insert a comma; in line 6, strike “CORPS” and substitute “TRUST FOR THE PURPOSE OF CARRYING OUT OR ASSISTING WITH CORPS PROGRAMS”; in line 7, strike “8-1928.” and substitute “8-1923.”; in line 8, after “PROGRAMS” insert “AND SEEKING FEDERAL AND STATE GRANTS”; in the same line, after “THE” insert “TRUST AND THE”; strike beginning with “IS” in line 8 down through “SOURCES” in line 10 and substitute “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”;

in lines 12 and 15, in each instance, after “**THE**” insert “**TRUST AND THE**”; in the same lines, in each instance, after “**CORPS**” insert “**BOARD**”; in line 16, strike “**THE**” and substitute “**;**”

(I) THE”;

in line 18, after “**ARTICLE**” insert “**;**”

(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”;

strike in their entirety lines 19 through 25, inclusive; and in line 26, strike “**8-1931.**” and substitute “**8-1924.**”.

(Over)

On page 15, in line 1, after “**THE**” insert “**TRUST, IN CONSULTATION WITH THE**”; and in lines 1, 5, and 6, in each instance, after “**CORPS**” insert “**BOARD**”.

AMENDMENT NO. 8

On page 15, in line 9, after the second “the” insert “Advisory”; in the same line, strike “of Directors”; in line 10, after “Corps” insert “Program”; in line 12, after “Governor” insert “and two members appointed by the Chair of the Board of Trustees of the Chesapeake Bay Trust”; in line 15, strike “two members” and substitute “one member”; in the same line, after “Governor” insert “and one member appointed by the Chair of the Board of Trustees of the Chesapeake Bay Trust”; in line 17, after the second “the” insert “Advisory”; in the same line, strike “of Directors”; and in line 18, after “Corps” insert “Program”.

AMENDMENT NO. 9

On page 15, after line 19, insert:

“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;

(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

(d) provide a draft of the plans required under the 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 plans by the Chesapeake Bay Trust.”;

and in line 20, strike “4.” and substitute “5.”.