

# SENATE BILL 396

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7lr2692  
CF HB 477

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By: **Senator Edwards**

Introduced and read first time: January 27, 2017

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Protection and Restoration of State–Owned Lakes**

3 FOR the purpose of establishing the State Lakes Protection and Restoration Fund as a  
4 special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary  
5 of Natural Resources to administer the Fund; requiring the State Treasurer to hold  
6 the Fund and the Comptroller to account for the Fund; specifying the contents of the  
7 Fund; specifying the purpose for which the Fund may be used; requiring interest  
8 earnings of the Fund to be credited to the Fund; requiring the Department of Natural  
9 Resources to develop a certain budget; requiring the Department to develop, in  
10 coordination with local governments, organizations, and citizens, a certain annual  
11 work plan; exempting the Fund from a certain provision of law requiring interest  
12 earnings on State money to accrue to the General Fund of the State; defining a  
13 certain term; and generally relating to the protection and restoration of State–owned  
14 lakes.

15 BY adding to

16 Article – Natural Resources  
17 Section 8–205 and 8–206  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2016 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – State Finance and Procurement  
22 Section 6–226(a)(2)(i)  
23 Annotated Code of Maryland  
24 (2015 Replacement Volume and 2016 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – State Finance and Procurement  
27 Section 6–226(a)(2)(ii)94. and 95.  
28 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)96.

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**Article – Natural Resources**

**8–205.**

(A) IN THIS SECTION, “FUND” MEANS THE STATE LAKES PROTECTION AND RESTORATION FUND.

(B) THERE IS A STATE LAKES PROTECTION AND RESTORATION FUND.

(C) THE PURPOSE OF THE FUND IS TO PROTECT AND RESTORE STATE-OWNED LAKES.

(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;  
AND

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY FOR THE PROTECTION OR RESTORATION OF STATE-OWNED LAKES.

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

1                   **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
2 **THE FUND.**

3                   **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**  
4 **WITH THE STATE BUDGET.**

5                   **(J) MONEY EXPENDED FROM THE FUND FOR THE PROTECTION OR**  
6 **RESTORATION OF STATE-OWNED LAKES IS SUPPLEMENTAL TO AND IS NOT**  
7 **INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE**  
8 **APPROPRIATED FOR THE PROTECTION OR RESTORATION OF STATE-OWNED LAKES.**

9 **8-206.**

10                   **(A) THE DEPARTMENT SHALL DEVELOP A WORKING BUDGET FOR THE**  
11 **FUNDS RECEIVED FROM THE STATE LAKES PROTECTION AND RESTORATION FUND**  
12 **ESTABLISHED UNDER § 8-205 OF THIS SUBTITLE.**

13                   **(B) THE DEPARTMENT SHALL DEVELOP, IN COORDINATION WITH LOCAL**  
14 **GOVERNMENTS, ORGANIZATIONS, AND CITIZENS, AN ANNUAL WORK PLAN THAT**  
15 **PRIORITIZES AND DETAILS PROJECTS THAT WILL RECEIVE FUNDING FROM THE**  
16 **STATE LAKES PROTECTION AND RESTORATION FUND.**

17                                   **Article – State Finance and Procurement**

18 **6-226.**

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

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

27   94.   the Community Program Fund; [and]

28   95.   the Maryland Corps Program Fund; AND

29   96.   **THE STATE LAKES PROTECTION AND RESTORATION**  
30 **FUND.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2017.