

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 446
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “Administration;” insert “prohibiting the withdrawal or transfer of certain money to the General Fund;”.

On page 2, in line 10, after “(d).” insert “(f).”.

AMENDMENT NO. 2

On page 6, after line 10, insert:

“(f) (1) (i) The Bay Restoration Fund is a special, continuing, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article and shall be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this section.

(ii) Money in the Fund may not revert or be transferred to the General Fund or a special fund of the State.

(2) The Bay Restoration Fund shall be available for the purpose of providing financial assistance in accordance with the provisions of this section for:

(i) Eligible costs of projects relating to planning, design, construction, and upgrades of wastewater facilities to achieve enhanced nutrient removal as required by the conditions of a grant agreement and a discharge permit; and

(ii) All projects identified in subsections (h) and (i) of this section.

(Over)

(3) Subject to the provisions of any applicable bond resolution regarding the holding or application of amounts in the Bay Restoration Fund, the Treasurer shall separately hold, and the Comptroller shall account for, the Bay Restoration Fund.

(4) Subject to the provisions of any applicable bond resolution governing the investment of amounts in the Bay Restoration Fund, the Bay Restoration Fund shall be invested and reinvested in the same manner as other State funds.

(5) Any investment earnings shall be retained to the credit of the Bay Restoration Fund.

(6) The Bay Restoration Fund shall be subject to audit by the Office of Legislative Audits as provided under § 2-1220 of the State Government Article.

(7) The Administration shall operate the Bay Restoration Fund in accordance with §§ 9-1616 through 9-1621 of this subtitle.

(8) EXCEPT AS PROVIDED IN THIS SECTION, MONEY IN THE BAY RESTORATION FUND MAY NOT BE WITHDRAWN OR TRANSFERRED TO THE GENERAL FUND.”.