

Chapter 405

(Senate Bill 396)

AN ACT concerning

Natural Resources – Protection and Restoration of State–Owned Lakes

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

BY adding to

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

BY repealing and reenacting, without amendments,

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

BY repealing and reenacting, with amendments,

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

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

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

(J) MONEY EXPENDED FROM THE FUND FOR THE PROTECTION OR RESTORATION OF STATE-OWNED LAKES IS SUPPLEMENTAL TO AND IS NOT

INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR THE PROTECTION OR RESTORATION OF STATE-OWNED LAKES.

8-206.

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

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

Article – State Finance and Procurement

6-226.

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

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

94. the Community Program Fund; [and]

95. the Maryland Corps Program Fund; AND

96. THE STATE LAKES PROTECTION AND RESTORATION FUND.

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

Approved by the Governor, May 4, 2017.