

# HOUSE BILL 801

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8lr2072  
CF SB 501

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By: **Delegates Beitzel, Buckel, and McKay**

Introduced and read first time: February 1, 2018

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Lakes Protection and Restoration Fund – Purpose, Use, and Funding –**  
3 **Alterations**

4 FOR the purpose of altering the purpose and use of the State Lakes Protection and  
5 Restoration Fund; requiring the Governor, beginning in a certain fiscal year, to  
6 include in the annual budget bill a certain appropriation to the Fund; requiring the  
7 Department of Natural Resources to report to the Governor and the General  
8 Assembly on or before a certain date; providing for the termination of this Act; and  
9 generally relating to the State Lakes Protection and Restoration Fund.

10 BY repealing and reenacting, with amendments,  
11 Article – Natural Resources  
12 Section 8–205  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Natural Resources  
17 Section 8–206  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2017 Supplement)

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

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



## 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 ~~OR STATE-OPERATED~~ STATE-MANAGED lakes BY:

**(1) REMOVING SEDIMENT;**

**(2) TREATING CONTAMINATED SEDIMENT;**

**(3) PREVENTING THE SPREAD OF INVASIVE SPECIES;**

**(4) IMPROVING ECOLOGICAL AND RECREATIONAL VALUE; AND**

**(5) TAKING ANY OTHER ACTION THE DEPARTMENT DETERMINES IS NECESSARY.**

(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 ~~OR STATE-OPERATED~~ STATE-MANAGED lakes BY:

**(1) REMOVING SEDIMENT;**

**(2) TREATING CONTAMINATED SEDIMENT;**

**(3) PREVENTING THE SPREAD OF INVASIVE SPECIES;**

1 (4) IMPROVING ECOLOGICAL AND RECREATIONAL VALUE; AND

2 (5) TAKING ANY OTHER ACTION THE DEPARTMENT DETERMINES IS  
3 NECESSARY.

4 (h) (1) The State Treasurer shall invest the money of the Fund in the same  
5 manner as other State money may be invested.

6 (2) Any interest earnings of the Fund shall be credited to the Fund.

7 (i) Expenditures from the Fund may be made only in accordance with the State  
8 budget.

9 (j) Money expended from the Fund for the protection or restoration of  
10 State-owned ~~OR STATE-OPERATED~~ STATE-MANAGED lakes is supplemental to and is  
11 not intended to take the place of funding that would otherwise be appropriated for the  
12 protection or restoration of State-owned ~~OR STATE-OPERATED~~ STATE-MANAGED lakes.

13 (K) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, THE  
14 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF  
15 ~~\$2,000,000~~ \$1,000,000 TO THE FUND.

16 8-206.

17 (a) The Department shall develop a working budget for the funds received from  
18 the State Lakes Protection and Restoration Fund established under § 8-205 of this subtitle.

19 (b) The Department shall develop, in coordination with local governments,  
20 organizations, and citizens, an annual work plan that prioritizes and details projects that  
21 will receive funding from the State Lakes Protection and Restoration Fund.

22 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,  
23 2021, the Department of Natural Resources shall report to the Governor and, in accordance  
24 with § 2-1246 of the State Government Article, the General Assembly on:

25 (1) the status of the State Lakes Protection and Restoration Fund;

26 (2) the amount of money expended from the Fund for the protection or  
27 restoration of State-owned or State-managed lakes;

28 (3) the costs incurred in administering the Fund; and

29 (4) any recommendations for the Fund.

**HOUSE BILL 801**

1           SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 July 1, 2018. It shall remain effective for a period of 4 years and, at the end of June 30,  
3 2022, this Act, with no further action required by the General Assembly, shall be abrogated  
4 and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.