

SENATE BILL 1260

M1

8lr4086

By: **Senator Mathias**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 9, 2018

Assigned to: Rules

Re-referred to: Budget and Taxation, March 16, 2018

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2018

CHAPTER _____

1 AN ACT concerning

2 **Waterway Improvement Fund – Ocean City Inlet Dredging Study**

3 FOR the purpose of ~~requiring the Department of Natural Resources, for a certain fiscal~~
4 ~~year, to use a certain amount of the funds in the Waterway Improvement Fund for~~
5 ~~the State portion of the funding for a certain dredging study of the Ocean City Inlet~~
6 providing that the first \$300,000 received by the Waterway Improvement Fund,
7 during a certain fiscal year, may be used only for a certain purpose; providing for the
8 termination of this Act; and generally relating to the use of the Waterway
9 Improvement Fund.

10 BY repealing and reenacting, with amendments,

11 Article – Natural Resources

12 Section 8–707(a)

13 Annotated Code of Maryland

14 (2012 Replacement Volume and 2017 Supplement)

15 BY adding to

16 Article – Natural Resources

17 Section 8–707(d)

18 Annotated Code of Maryland

19 (2012 Replacement Volume and 2017 Supplement)

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.



~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, notwithstanding any other provision of law, for fiscal year 2019 only, the Department of Natural Resources shall use \$300,000 of the funds in the Waterway Improvement Fund established under § 8-707 of the Natural Resources Article for the State portion of the funding for the dredging study of the Ocean City Inlet by the U.S. Army Corps of Engineers.~~

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

Article – Natural Resources

8-707.

(a) There is a Waterway Improvement Fund for the purposes specified in this subtitle. Except as provided in § 8-709 of this subtitle AND SUBSECTION (D) OF THIS SECTION, any money received into the Waterway Improvement Fund shall be used solely for the following projects:

(1) Marking channels and harbors and establishing aids to navigation in cooperation with and as an extension of operations of the United States Coast Guard;

(2) Clearing debris, aquatic vegetation, and obstruction from waters of the State;

(3) Dredging channels and harbors and construction of jetties and breakwaters in cooperation with and as an extension of operations of the United States Army Corps of Engineers;

(4) Dredging ponds, lakes, and reservoirs owned by the State;

(5) Constructing and maintaining marine facilities beneficial to the boating public, including constructing pump-out stations for use by the general boating public at public and private marinas. The Secretary may use the funds to install pump-out stations for use by the general boating public and to supplement maintenance costs at the discretion of the Secretary. Before approving the construction of any pump-out station at a public or private marina, the Secretary shall consult with the Department of the Environment to assure that the wastewater collection and treatment system of the marina is adequate to handle any increased flow. The Department may adopt regulations to govern the use and operation of pump-out stations for use by the general boating public constructed or supported by State funds under this section;

(6) Improvement, reconstruction, or removal of bridges, drawbridges, or similar structures over or across waters, if those structures delay, impede, or obstruct the boating public. With the approval of the Board of Public Works, funds from another public or any private source may be received and used to supplement and increase the funds in the Waterway Improvement Fund for the purpose of this subsection. Also, the Board of Public Works may enter into an agreement with a private company or person which owns

1 such a structure, for the improvement, reconstruction, or removal of the structure, in order
2 to provide a sharing of the cost of the improvement, reconstruction, or removal;

3 (7) Evaluation of water-oriented recreation needs and recreational
4 capacities of Maryland waterways and development of comprehensive plans for waterway
5 improvements;

6 (8) To provide matching grants to local governments for the construction of
7 marine facilities for marine firefighting, marine police, or medical services and for the
8 acquisition of vessels and equipment for vessels for marine firefighting, police, medical, and
9 communication equipment for promoting safety of life and property and general service to
10 the boating public utilizing the waters of the State. The ownership, operation, and
11 maintenance of any equipment acquired under this subtitle shall be the responsibility of
12 the local governing body;

13 (9) Structural and nonstructural shore erosion control under subsection (b)
14 of this section;

15 (10) Acquisition of equipment and State vessels for firefighting, policing,
16 first aid and medical assistance, and communications, in order to promote safety of life and
17 property and general service to the boating public utilizing waters of the State;

18 (11) Boating information and education; and

19 (12) To provide interest-free loans to a governing body for the benefit of a
20 residential property owner, or group of residential property owners, with land abutting a
21 channel adjacent to a federal, State, county, or municipal main channel or harbor for
22 dredging the adjacent channel.

23 **(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR FISCAL YEAR**
24 **2019, THE FIRST \$300,000 OF MONEY RECEIVED INTO THE WATERWAY**
25 **IMPROVEMENT FUND MAY BE USED ONLY FOR THE STATE PORTION OF FUNDING**
26 **FOR THE DREDGING STUDY OF THE OCEAN CITY INLET BY THE U.S. ARMY CORPS**
27 **OF ENGINEERS.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2018. It shall remain effective for a period of 1 year and, at the end of June 30, 2019, this
30 Act, with no further action required by the General Assembly, shall be abrogated and of no
31 further force and effect.