M1 7lr2694 CF SB 396

By: Delegate Beitzel

Introduced and read first time: January 27, 2017 Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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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 coordination with local governments, organizations, and citizens, a certain annual 10 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
- 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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1	(201	5 Replacement Volume and 2016 Supplement)
2 3 4 5 6	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)	
7 8	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:	
9		Article - Natural Resources
10	8–205.	
11 12	(A) RESTORA	IN THIS SECTION, "FUND" MEANS THE STATE LAKES PROTECTION AND TION FUND.
13	(B)	THERE IS A STATE LAKES PROTECTION AND RESTORATION FUND.
14 15	(C) THE PURPOSE OF THE FUND IS TO PROTECT AND RESTORE STATE-OWNED LAKES.	
16	(D)	THE SECRETARY SHALL ADMINISTER THE FUND.
17 18	(E) SUBJECT	(1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT TO \S 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
19 20	AND THE	(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, COMPTROLLER SHALL ACCOUNT FOR THE FUND.
21	(F)	THE FUND CONSISTS OF:
22 23	AND	(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
24 25	THE BENE	(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR FIT OF THE FUND.
26 27	(G) OF STATE	THE FUND MAY BE USED ONLY FOR THE PROTECTION OR RESTORATION -OWNED LAKES.

28 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND 29 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO 1 2 THE FUND. 3 EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE (I)WITH THE STATE BUDGET. 4 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 APPROPRIATED FOR THE PROTECTION OR RESTORATION OF STATE-OWNED LAKES. 8 8-206. 9 THE DEPARTMENT SHALL DEVELOP A WORKING BUDGET FOR THE 10 FUNDS RECEIVED FROM THE STATE LAKES PROTECTION AND RESTORATION FUND 11 ESTABLISHED UNDER § 8–205 OF THIS SUBTITLE. 12 13 THE DEPARTMENT SHALL DEVELOP, IN COORDINATION WITH LOCAL 14 GOVERNMENTS, ORGANIZATIONS, AND CITIZENS, AN ANNUAL WORK PLAN THAT PRIORITIZES AND DETAILS PROJECTS THAT WILL RECEIVE FUNDING FROM THE 15 STATE LAKES PROTECTION AND RESTORATION FUND. 16 17 **Article - State Finance and Procurement** 6-226. 18 Notwithstanding any other provision of law, and unless 19 (2)(a) 20 inconsistent with a federal law, grant agreement, or other federal requirement or with the 21terms 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 Fund of the State. 2425The provisions of subparagraph (i) of this paragraph do not apply (ii) 26to the following funds: 27 94. the Community Program Fund; [and] 2895. the Maryland Corps Program Fund; AND 29 96. THE STATE LAKES PROTECTION AND RESTORATION

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FUND.

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