

# HOUSE BILL 405

M1, B1

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CF SB 213

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By: **Delegates Beitzel, Adams, Arentz, Buckel, Ghrist, Jacobs, Korman, McKay, Otto, and Wivell**

Introduced and read first time: January 30, 2019

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – State Lakes Protection and Restoration Fund – Mandatory**  
3 **Funding and Repeal of Termination Date**

4 FOR the purpose of increasing the amount of a certain appropriation, beginning in a certain  
5 fiscal year, that the Governor is required to provide in the annual budget bill to the  
6 State Lakes Protection and Restoration Fund; repealing the termination date for  
7 certain provisions of law relating to the Fund; and generally relating to the State  
8 Lakes Protection and Restoration Fund.

9 BY repealing and reenacting, with amendments,  
10 Article – Natural Resources  
11 Section 8–205  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Chapter 698 of the Acts of the General Assembly of 2018  
16 Section 3

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

19 **Article – Natural Resources**

20 8–205.

21 (a) In this section, “Fund” means the State Lakes Protection and Restoration  
22 Fund.

23 (b) There is a State Lakes Protection and Restoration Fund.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The purpose of the Fund is to protect and restore State-owned or  
2 State-managed lakes by:

- 3 (1) Removing sediment;
- 4 (2) Treating contaminated sediment;
- 5 (3) Preventing the spread of invasive species;
- 6 (4) Improving ecological and recreational value; and
- 7 (5) Taking any other action the Department determines is necessary.

8 (d) The Secretary shall administer the Fund.

9 (e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of  
10 the State Finance and Procurement Article.

11 (2) The State Treasurer shall hold the Fund separately, and the  
12 Comptroller shall account for the Fund.

13 (f) The Fund consists of:

- 14 (1) Money appropriated in the State budget to the Fund; and
- 15 (2) Any other money from any other source accepted for the benefit of the  
16 Fund.

17 (g) The Fund may be used only for the protection or restoration of State-owned  
18 or State-managed lakes by:

- 19 (1) Removing sediment;
- 20 (2) Treating contaminated sediment;
- 21 (3) Preventing the spread of invasive species;
- 22 (4) Improving ecological and recreational value; and
- 23 (5) Taking any other action the Department determines is necessary.

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

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

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

3 (j) Money expended from the Fund for the protection or restoration of  
4 State-owned or State-managed lakes is supplemental to and is not intended to take the  
5 place of funding that would otherwise be appropriated for the protection or restoration of  
6 State-owned or State-managed lakes.

7 (k) **(1)** For fiscal year 2020 [and each fiscal year thereafter], the Governor  
8 shall include in the annual budget bill an appropriation of \$1,000,000 to the Fund.

9 **(2) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER,**  
10 **THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION**  
11 **OF \$3,000,000 TO THE FUND.**

12 **Chapter 698 of the Acts of 2018**

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2018. [It shall remain effective for a period of 4 years and, at the end of June 30, 2022,  
15 this Act, with no further action required by the General Assembly, shall be abrogated and  
16 of no further force and effect.]

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
18 1, 2019.