

**HB0720/253525/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 720

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike the second “and”; in the same line, after “staff” insert “, and assess certain fees”; in line 9, after “circumstances;” insert “establishing the Somers Cove Marina Advisory Commission to advise the Secretary on certain matters relating to the Somers Cove Marina; requiring certain revenue received by the Department of Natural Resources to be deposited into the Natural Resources Property Maintenance Fund; altering the uses of the Fund; requiring interest earnings of the Fund to be credited to the Fund;”; in line 17, after “5–908.1” insert “and 5–908.2”; and after line 19, insert:

“BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 5-909

Annotated Code of Maryland

(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,

Article - State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2021 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,

Article - State Finance and Procurement

Section 6–226(a)(2)(ii)204. and 205.

Annotated Code of Maryland

(2021 Replacement Volume and 2024 Supplement)

BY adding to

Article - State Finance and Procurement

Section 6–226(a)(2)(ii)206.

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Annotated Code of Maryland  
(2021 Replacement Volume and 2024 Supplement)”.

AMENDMENT NO. 2

On page 8, in line 11, before “**THE**” insert “**(A)**”; in line 20, strike “**AND**”; and after line 22, insert:

**“(V) ASSESS SLIP AND OTHER FEES AND CHARGES AS NECESSARY TO OPERATE, MAINTAIN, MANAGE, AND IMPROVE SOMERS COVE MARINA; AND”.**

On page 9, after line 3, insert:

**“(B) ALL REVENUE RECEIVED BY THE DEPARTMENT FROM MANAGING, OPERATING, MAINTAINING, IMPROVING, AND DEVELOPING SOMERS COVE MARINA SHALL BE DEPOSITED INTO THE NATURAL RESOURCES PROPERTY MAINTENANCE FUND ESTABLISHED UNDER § 5-909 OF THIS SUBTITLE.**

**5-908.2.**

**(A) IN THIS SECTION, “COMMISSION” MEANS THE SOMERS COVE MARINA ADVISORY COMMISSION.**

**(B) (1) THERE IS A SOMERS COVE MARINA ADVISORY COMMISSION IN THE DEPARTMENT.**

**(2) (I) THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:**

**1. ONE REPRESENTATIVE FROM SOMERSET COUNTY, APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS OF SOMERSET COUNTY;**

2. ONE REPRESENTATIVE FROM THE CITY OF CRISFIELD, APPOINTED BY THE MAYOR OF CRISFIELD;

3. THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

4. ONE REPRESENTATIVE FROM THE COMMERCIAL FISHING INDUSTRY;

5. ONE REPRESENTATIVE FROM THE ECONOMIC DEVELOPMENT OR TOURISM INDUSTRY;

6. ONE REPRESENTATIVE OF SAILBOAT OWNERS, WHO MAY BE A CURRENT SLIP HOLDER AT SOMERS COVE MARINA; AND

7. ONE REPRESENTATIVE OF POWER BOAT OWNERS, WHO MAY BE A CURRENT SLIP HOLDER AT SOMERS COVE MARINA.

(II) THE COMPOSITION OF THE COMMISSION SHALL CONSTITUTE A DIVERSE CROSS-SECTION OF STAKEHOLDERS BROADLY REPRESENTATIVE OF MULTIPLE INTERESTS INCLUDING TOURISM, ECONOMIC DEVELOPMENT, BUSINESS COMMUNITIES, FISHING, AND BOATING.

(3) FROM AMONG ITS MEMBERS, THE COMMISSION SHALL ELECT A CHAIR AND A VICE CHAIR.

(4) (I) THE TERM OF A MEMBER IS 4 YEARS.

(II) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(Over)

(III) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) THE COMMISSION SHALL MEET AT LEAST BIANNUALLY.

(C) THE COMMISSION SHALL ADVISE THE SECRETARY ON MATTERS RELATED TO THE MANAGEMENT, OPERATION, MAINTENANCE, AND DEVELOPMENT OF SOMERS COVE MARINA.

5-909.

(a) In this section, "Fund" means the Natural Resources Property Maintenance Fund.

[(b) The Natural Resources Property Maintenance Fund is created within the Department to be used for the maintenance, repair, and management of property owned by the Department.

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

(2) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(3) Money in the Fund may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article.]

(B) THERE IS A NATURAL RESOURCES PROPERTY MAINTENANCE FUND IN THE DEPARTMENT.

(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(D) (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.**

**(E) THE FUND CONSISTS OF:**

**(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

**(2) REVENUE DEPOSITED INTO THE FUND IN ACCORDANCE WITH § 5-908.1(B) OF THIS SUBTITLE;**

**(3) INTEREST EARNINGS; AND**

**(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

**(F) THE FUND MAY BE USED ONLY FOR:**

**(1) MAINTAINING, REPAIRING, AND MANAGING PROPERTY OWNED BY THE DEPARTMENT;**

**(2) MANAGING, OPERATING, MAINTAINING, AND DEVELOPING SOMERS COVE MARINA; AND**

**(3) ADMINISTRATIVE EXPENSES CALCULATED IN ACCORDANCE WITH § 1-103(B)(2) OF THIS ARTICLE.**

**(G) (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.**

(Over)

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

Article – State Finance and Procurement

6–226.

(a) (2) (i) 1. This subparagraph does not apply in fiscal years 2024 through 2028.

2. 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:

204. the Victims of Domestic Violence Program Grant Fund;  
[and]

205. the Proposed Programs Collaborative Grant Fund;  
AND

206. THE NATURAL RESOURCES PROPERTY MAINTENANCE FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall strive to ensure that current members of the Somers Cove Marina Commission are appointed to the Somers Cove Marina Advisory Commission.

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SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Natural Resources and the Somers Cove Marina Commission shall work cooperatively to ensure the continuity of operations at the marina as management responsibilities are transferred from the Commission to the Department, including any necessary assignments of contracts and negotiation or renegotiation of agreements related to the facility, property, management, maintenance, service, and staffing.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before October 1, 2025, the Somers Cove Marina Commission shall transfer the remaining balance from the Somers Cove Marina Improvement Fund to the Natural Resources Property Maintenance Fund established under § 5-909 of the Natural Resources Article, including any unencumbered funds, accounts receivable, and cancelled encumbrances.”;

And in line 4, strike “2” and substitute “5”.