

SENATE BILL 305

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(PRE-FILED)

4lr0301
CF HB 117

By: **Chair, Education, Energy, and the Environment Committee (By Request –
Departmental – Natural Resources)**

Requested: September 15, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted

Read second time: February 17, 2024

CHAPTER _____

1 AN ACT concerning

2 **Department of Natural Resources – Maryland Geological Survey Fund –**
3 **Establishment**

4 FOR the purpose of establishing the Maryland Geological Survey Fund as a special,
5 nonlapsing fund in the Department of Natural Resources; requiring interest
6 earnings of the Fund to be credited to the Fund; and generally relating to the
7 Maryland Geological Survey Fund.

8 BY repealing and reenacting, without amendments,
9 Article – Natural Resources
10 Section 1–103(b)(2) and 2–202
11 Annotated Code of Maryland
12 (2023 Replacement Volume and 2023 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Natural Resources
15 Section 2–101
16 Annotated Code of Maryland
17 (2023 Replacement Volume and 2023 Supplement)

18 BY adding to
19 Article – Natural Resources
20 Section 2–205

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.



Annotated Code of Maryland
(2023 Replacement Volume and 2023 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 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)189. and 190.
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)191.
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

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

Article – Natural Resources

1–103.

(b) (2) (i) Unless otherwise authorized by statute, the Secretary may use money in a fund or account created under this article for administrative expenses directly relating to the purposes of the Fund or account up to an amount calculated under a generally accepted methodology for determining indirect costs.

(ii) The Secretary shall submit any changes to the methodology used under subparagraph (i) of this paragraph for review and comment to the House Appropriations Committee and the Senate Budget and Taxation Committee within 45 days before implementing the methodology.

2–101.

(a) In this title the following words have the meanings indicated.

(b) “Commission” means Commission of the Maryland Geological Survey.

(c) “Department” means Department of Natural Resources.

(d) **“FUND” MEANS THE MARYLAND GEOLOGICAL SURVEY FUND ESTABLISHED UNDER § 2–205 OF THIS TITLE.**

(E) **“Paleontology” means the branch of geology that deals with prehistoric forms of life through the study of plant and animal fossils.**

~~[(e)]~~ (F) **“Secretary” means Secretary of Natural Resources.**

~~[(f)]~~ (G) **“Survey” means Maryland Geological Survey.**

2–202.

The Survey shall:

(1) Conduct topographic, geologic, hydrographic, and geophysical surveys;

(2) Prepare topographic, geologic, and other types of maps to meet specific needs;

(3) Prepare reports on the extent and character of the State’s geology, mineral, and water resources; and

(4) Periodically assess the paleontological resources of the State and coordinate the assessment with interested persons and public agencies.

2–205.

(A) **THERE IS A MARYLAND GEOLOGICAL SURVEY FUND IN THE DEPARTMENT.**

(B) **THE PURPOSE OF THE FUND IS TO FINANCE THE DIRECT AND INDIRECT COSTS OF ADMINISTERING THIS SUBTITLE, INCLUDING LONG–TERM BUDGETING AND PLANNING FOR SURVEY PROJECTS, PROCUREMENTS, AND EQUIPMENT PURCHASES.**

(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) INTEREST EARNINGS; AND

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

(F) THE FUND MAY BE USED ONLY FOR:

(1) COVERING THE COSTS OF THE OPERATION OF THE SURVEY;

(2) PURCHASING AND MAINTAINING EQUIPMENT FOR USE BY THE DEPARTMENT OR THE SURVEY;

(3) FUNDING PROJECTS UNDERTAKEN AND OVERSEEN BY THE SURVEY;

(4) ADMINISTERING THIS SUBTITLE; AND

(5) 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.

(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) 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:

189. the Teacher Retention and Development Fund; [and]

190. the Protecting Against Hate Crimes Grant Fund; AND

191. THE MARYLAND GEOLOGICAL SURVEY FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.