

## CHAPTER 362

(Senate Bill 118)

AN ACT to repeal and re-enact, with amendments, Section 12F of Article 14B of the Annotated Code of Maryland (1968 Replacement Volume), title "State Boat Act," amending the laws concerning the use of the State Waterways Improvement Fund with particular reference to the improvement, reconstruction or removal of bridges, drawbridges, or similar structures over or across navigable waters, under certain circumstances, providing for the functions of the Board of Public Works in relation thereto, ~~[[and]]~~ authorizing the Board of Public Works to enter into an agreement with a private owner for a sharing of the cost of such a project and authorizing expenditures from the Waterways Improvement Fund for evaluation of boating needs and planning of waterway improvements.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 12F of Article 14B of the Annotated Code of Maryland (1968 Replacement Volume), title "State Boat Act," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

## 12F.

(a) All funds received into the Waterways Improvement Fund created by Section 4E of this article shall be used, with the exception of the sum specified under Section ~~[[12G(b)]]~~ 12H(B) herein for boating safety and education, solely for the following projects.

(b) Marking of channels and harbors not within the scope of operations of the United States Coast Guard.

(c) Clearing of debris, aquatic vegetation and obstructions from navigable waters of the State.

(d) Dredging of channels and harbors not within the scope of operations of the United States Army Corps of Engineers.

(e) Construction of marine facilities beneficial to the boating public.

(F) IMPROVEMENT, RECONSTRUCTION, OR REMOVAL OF BRIDGES, DRAWBRIDGES, OR SIMILAR STRUCTURES OVER OR ACROSS NAVIGABLE 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 WATERWAYS 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 SUCH A STRUCTURE, FOR THE IMPROVEMENT, RECONSTRUCTION, OR REMOVAL OF THE STRUCTURE, IN ORDER TO PROVIDE A SHARING OF THE COST OF THE IMPROVEMENT, RECONSTRUCTION, OR REMOVAL.

(G) EVALUATION OF WATER-ORIENTED RECREATION NEEDS AND RECREATIONAL CAPACITIES OF MARYLAND WATERWAYS AND DEVELOPMENT OF COMPREHENSIVE PLANS FOR WATERWAYS IMPROVEMENTS.