

(2) (I) FOR AN INDIVIDUAL LICENSE ISSUED FOR RIPARIAN STRUCTURES OR ACTIVITIES WHERE THE STRUCTURE OR ACTIVITY IS NOT INTENDED TO INCREASE REVENUE TO A COMMERCIAL ENTERPRISE AND FOR WHICH A PUBLIC HEARING IS NOT CONDUCTED, THE BOARD MAY NOT REQUIRE COMPENSATION EXCEEDING \$50.

(II) THE LIMIT ON REQUIRED COMPENSATION IN SUBPARAGRAPH (I) OF THIS PARAGRAPH APPLIES REGARDLESS OF WHETHER THE RIPARIAN STRUCTURES OR ACTIVITIES ARE INTENDED TO IMPROVE NAVIGATION.

(b) Monetary compensation received by the State in conjunction with a wetlands license may not be applied to the State annuity bond fund account.

(c) (1) There is created a special fund, known as the Tidal Wetlands Compensation Fund.

(2) The following money shall be deposited in the Tidal Wetlands Compensation Fund:

(i) Any monetary compensation paid to the State in conjunction with a wetlands license, including compensation paid by an applicant instead of engaging in the creation, restoration, or enhancement of a tidal wetland;

(ii) Any penalty imposed by a court in accordance with this title; and

(iii) Any penalty imposed by the Department under this title.

(d) Funds in the Tidal Wetlands Compensation Fund may be appropriated only for acquisition and conservation of wetland areas by the State, including cost sharing assistance to landowners in the management and control of phragmites under Title 8, Subtitle 21 of the Natural Resources Article.

(e) Funds appropriated in the budget for wetlands acquisition and conservation under this section:

(1) Shall remain available until expended; and

(2) May not be reverted under any other provision of law.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.