

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

**Article - Natural Resources**

1-702.

(a) IN THIS SECTION, "FUND" MEANS THE STATE CHESAPEAKE BAY AND ENDANGERED SPECIES FUND.

(B) There is a State Chesapeake Bay and Endangered Species Fund.

[(b)](C) (1) The net proceeds from contributions under the income tax checkoff system [and], any other donations to the Fund, ~~AND INVESTMENT EARNINGS OF THE FUND~~ shall be credited to the Fund.

(2) The Secretary shall administer the Fund.

(3) The Fund shall be used only as provided in §§ 1-703 through 1-705 of this subtitle.

(4) THE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(6) ANY INVESTMENT EARNINGS OF THE FUND ~~MAY NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND~~ SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

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

[(c)](D) The Fund shall be maintained for the purposes stated in this subtitle and unspent portions of the Fund shall remain in the Fund and may not revert to the General Fund of the State.

[(d)](E) Moneys expended from the Fund for the Chesapeake Bay Trust and Endangered Species Conservation Programs are supplemental and are not intended to take the place of funding that would otherwise be appropriated to the Department of Natural Resources for the Trust or for those Programs.

3-302.

(a) There is an Environmental Trust Fund. For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1-101 of the Public Utility Companies Article. The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers' bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be