

(IV) ANY FINE OR FORFEITURE COLLECTED UNDER § 4-1202 OF THIS TITLE;

- (2) ANY INVESTMENT EARNINGS OF THE FUND; AND
- (3) MONEY RECEIVED FROM ANY OTHER SOURCE.

(G) SUBJECT TO §§ 4-701(N), 4-1020, 4-1028, AND 4-1035 OF THIS TITLE, THE FUND MAY BE USED FOR:

(1) REPLENISHING FISHERIES RESOURCES AND RELATED RESEARCH;  
AND

(2) MATCHING FEDERAL FUNDS AVAILABLE FOR RESEARCH AND DEVELOPMENT OF FISHERIES RESOURCES.

(H) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) 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.

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

5-103.

(d) [(1)] If the constructing agency is unable to locate a sufficient amount of State or other publicly owned land or available forest mitigation bank credits to comply with the requirements of subsection (c) of this section, the constructing agency shall contribute money, at the rate of 10 cents per square foot of the area of required planting, to [a special fund to be maintained in the Department and to be known as] the Reforestation Fund ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION.

[(2) There is a Reforestation Fund in the Department.]

(e) [(1) Money deposited in the Reforestation Fund:

- (i) Shall remain in the Fund until appropriated and spent; and
- (ii) May not revert to the General Fund.

(2) (i) 1. Except as provided in item 2 of this subparagraph, the Department shall use the Reforestation Fund solely to plant trees on State or other publicly owned lands located in the county and watershed in which construction projects giving rise to Fund contributions are located.

2. If reforestation cannot be reasonably accomplished in the county and watershed in which the construction activity is located, then the Department may use the Reforestation Fund to plant trees on State or other publicly owned lands located in the county or in the watershed in the State in which the construction activity is located, or to purchase credits in, establish, or maintain a forest mitigation bank in the county or watershed in which the construction activity is