

(II) 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.

[(c)] (D) Unless there is an agreement between the Secretary and the Deep Creek Lake Policy and Review Board as to a proposed change, the fee for issuance and processing of any permit covered under subsection [(b)] (C) of this section may not be changed.

[(d)] (E) (1) Before the Department and the Deep Creek Lake Policy and Review Board may change any fee for the issuance and processing of any permit covered under subsection [(b)] (C) of this section, the Secretary shall hold a public hearing in Garrett County.

(2) Notice of the public hearing shall be published in two newspapers of general circulation in Garrett County at least 30 days before the hearing.

(3) The notice shall include the proposed change in the fee and the reason for the fee.

[(e)] (F) (1) A person may apply to the Department for a lake and buffer use permit.

(2) A person who is aggrieved by a decision of the Department to issue or deny a lake and buffer use permit may seek judicial review of the decision in accordance with Title 10, Subtitle 2 of the State Government Article.

5-307.

(a) IN THIS SECTION, "FUND" MEANS THE WOODLAND INCENTIVES FUND.

(B) There is a [special fund known as the] Woodland Incentives Fund IN THE DEPARTMENT.

(C) THE PURPOSE OF THE FUND IS TO FINANCE THE WOODLAND INCENTIVES PROGRAM AND THE COST-SHARE ASSISTANCE ESTABLISHED UNDER THIS SUBTITLE.

(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

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

[(b)] (F) The [Woodland Incentives] Fund [shall consist] CONSISTS of:

(1) As provided in § 13-306 of the Tax - Property Article, up to \$200,000 annually of the proceeds of the tax imposed by § 13-302 of the Tax - Property Article that are attributable to the taxation of instruments of writing that transfer title to parcels of land that are entirely woodland; ~~and~~

(2) Revenues collected by the Department from the payment of charges imposed for Department assistance in implementation of an approved practice; ~~AND~~