

4. A POLITICAL SUBDIVISION OR INSTRUMENTALITY
OF THE STATE;

(II) EXERCISE A POWER USUALLY POSSESSED BY A PRIVATE CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD CONFLICT WITH STATE LAW; AND

(III) DO ALL THINGS NECESSARY ~~OR CONVENIENT~~ TO CARRY OUT THE MANDATES AND POWERS EXPRESSLY PROVIDED BY THIS SECTION.

[(b)] ~~(D)~~ (G) There is a Somers Cove Marina Improvement Fund in the [Department] COMMISSION, to be used for the operation, maintenance, development, and improvement of the Somers Cove Marina facilities in Crisfield, Maryland.

[(c)] ~~(E)~~ (H) Any money obtained by the [Department] COMMISSION from Somers Cove Marina shall be credited to the Fund.

[(d)] (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(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.

(3) Moneys in the Fund may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article.]

~~(F)~~ (I) (1) THE COMMISSION SHALL:

(I) MAINTAIN THE FUND IN A BANK ACCOUNT SEPARATE FROM STATE FUNDS;

(II) TRANSFER ANY UNENCUMBERED MONEYS IN THE FUND RUN BY THE DEPARTMENT TO THE COMMISSION'S FUND; AND

(III) REIMBURSE THE STATE FOR THE SALARY OF THE MARINA MANAGER.

(2) MONEYS OF THE FUND ARE:

(I) NOT MONEYS OF THE STATE WITHIN THE MEANING OF ARTICLE VI OF THE STATE CONSTITUTION; AND