

SENATE BILL 775

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6lr0526
CF 6lr0581

By: ~~Senator Simonaire~~ Senators Simonaire, Rosapepe, Bates, Young, Zucker, Conway, Waugh, Nathan-Pulliam, and Pinsky

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2016

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Recreational License Donation Program – Establishment**

3 FOR the purpose of authorizing a person to purchase and donate certain recreational
4 hunting or fishing licenses and any corresponding stamps for certain purposes;
5 authorizing the Department of Natural Resources to issue a donated license or stamp
6 only for use by a Gold Star recipient, a disabled veteran, a disabled member of the
7 armed services, or a permanently disabled person who requires the use of a
8 wheelchair; requiring a recipient of a donated license or stamp to have certain
9 sponsorship; requiring a recipient of a donated hunting license to meet certain
10 hunting safety requirements; limiting to a certain amount the number of eligible
11 persons that may hunt under the authority of a donated license or stamp during one
12 recreational license year; prohibiting the Department from charging a fee for the
13 issuance of a donated license or stamp; authorizing the Department to issue a
14 donated license or stamp to an eligible resident or nonresident of the State; requiring
15 the Department to post under certain circumstances certain information on its Web
16 site on or before a certain date each year; requiring the Department to adopt certain
17 regulations; requiring the Department to implement the recreational license
18 donation program at or before a certain time; ~~establishing that certain funds are~~
19 ~~nonlapsing and not subject to reversion to the General Fund~~ the Recreational
20 License Donation Fund as a special, nonlapsing fund; specifying the purpose of the
21 Fund; requiring the Secretary of Natural Resources to administer the Fund;
22 requiring the State Treasurer to hold the Fund and the Comptroller to account for
23 the Fund; specifying the contents of the Fund; specifying the purpose for which the
24 Fund may be used; providing for the investment of money in and expenditures from

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the Fund; defining a certain term; and generally relating to the establishment of the
2 recreational hunting and fishing license donation program.

3 BY adding to
4 Article – Natural Resources
5 Section 1–405
6 Annotated Code of Maryland
7 (2012 Replacement Volume and 2015 Supplement)

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

10 **Article – Natural Resources**

11 **1–405.**

12 (A) IN THIS SECTION, “GOLD STAR RECIPIENT” MEANS A RECIPIENT OF THE
13 U.S. DEPARTMENT OF DEFENSE GOLD STAR FOR SURVIVING SPOUSES, PARENTS,
14 AND NEXT OF KIN OF MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES IN
15 COMBAT.

16 (B) A PERSON MAY PURCHASE AND DONATE AN ANGLER’S LICENSE, A
17 CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE, OR A HUNTING LICENSE
18 AND ANY CORRESPONDING STAMPS FOR ISSUANCE IN ACCORDANCE WITH THIS
19 SECTION.

20 ~~(B)~~ (C) (1) THE DEPARTMENT MAY ISSUE A DONATED LICENSE OR
21 STAMP ONLY FOR USE BY A GOLD STAR RECIPIENT, A DISABLED VETERAN, A
22 DISABLED MEMBER OF THE ARMED FORCES, OR A PERMANENTLY DISABLED PERSON
23 WHO REQUIRES THE USE OF A WHEELCHAIR.

24 (2) A RECIPIENT OF A DONATED LICENSE OR STAMP SHALL BE
25 SPONSORED BY A NONPROFIT CHARITABLE ORGANIZATION THAT PROVIDES
26 RECREATIONAL HUNTING OR FISHING OPPORTUNITIES FOR GOLD STAR
27 RECIPIENTS, DISABLED VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, OR
28 PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.

29 (3) A RECIPIENT OF A DONATED HUNTING LICENSE IS SUBJECT TO
30 THE HUNTING SAFETY REQUIREMENTS UNDER § 10–301.1 OF THIS ARTICLE.

31 ~~(C)~~ (D) ONLY ONE ELIGIBLE PERSON MAY HUNT UNDER THE AUTHORITY
32 OF A DONATED LICENSE OR STAMP DURING ONE RECREATIONAL LICENSE YEAR.

33 ~~(D)~~ (E) THE DEPARTMENT:

1 (1) MAY NOT CHARGE A FEE FOR THE ISSUANCE OF A DONATED
2 LICENSE OR STAMP; AND

3 (2) MAY ISSUE A DONATED LICENSE OR STAMP TO AN ELIGIBLE
4 RESIDENT OR NONRESIDENT OF THE STATE.

5 ~~(E)~~ (F) ON OR BEFORE OCTOBER 1, 2017, AND EACH YEAR THEREAFTER,
6 THE DEPARTMENT SHALL POST ON ITS WEB SITE THE NAMES OF THE PERSONS WHO
7 DONATED RECREATIONAL LICENSES OR STAMPS IN THE PREVIOUS RECREATIONAL
8 LICENSE YEARS, UNLESS A PERSON WHO DONATES A LICENSE OR STAMP REQUESTS
9 ANONYMITY.

10 ~~(F)~~ (G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT
11 THIS SECTION, INCLUDING REGULATIONS ESTABLISHING ELIGIBILITY
12 REQUIREMENTS FOR DONORS, SPONSORS, AND RECIPIENTS OF DONATED
13 RECREATIONAL LICENSES AND STAMPS.

14 ~~(G)~~ (H) ~~FUNDS COLLECTED FOR LICENSE DONATIONS UNDER THIS~~
15 ~~SECTION ARE NONLAPSING AND MAY NOT BE SUBJECT TO § 7-302 OF THE STATE~~
16 ~~FINANCE AND PROCUREMENT ARTICLE.~~

17 (1) IN THIS SUBSECTION, "FUND" MEANS THE RECREATIONAL
18 LICENSE DONATION FUND.

19 (2) THERE IS A RECREATIONAL LICENSE DONATION FUND.

20 (3) THE PURPOSE OF THE FUND IS TO PROVIDE RECREATIONAL
21 HUNTING AND FISHING OPPORTUNITIES FOR GOLD STAR RECIPIENTS, DISABLED
22 VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, AND PERMANENTLY
23 DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.

24 (4) THE SECRETARY SHALL ADMINISTER THE FUND.

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

27 (ii) THE STATE TREASURER SHALL HOLD THE FUND
28 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

29 (6) THE FUND CONSISTS OF:

30 (i) REVENUE COLLECTED BY THE DEPARTMENT FOR THE
31 PURCHASE AND DONATION OF RECREATIONAL HUNTING OR FISHING LICENSES OR
32 STAMPS UNDER THIS SECTION;

1 **(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
2 **FUND; AND**

3 **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
4 **FOR THE BENEFIT OF THE FUND.**

5 **(7) THE FUND MAY BE USED ONLY FOR DONATED RECREATIONAL**
6 **HUNTING OR FISHING LICENSES OR STAMPS FOR USE BY GOLD STAR RECIPIENTS,**
7 **DISABLED VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, OR**
8 **PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.**

9 **(8) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**
10 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

11 **(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE**
12 **CREDITED TO THE GENERAL FUND OF THE STATE.**

13 **(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN**
14 **ACCORDANCE WITH THE STATE BUDGET.**

15 **(10) MONEY EXPENDED FROM THE FUND FOR DONATED**
16 **RECREATIONAL LICENSES OR STAMPS IS SUPPLEMENTAL TO AND IS NOT INTENDED**
17 **TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR**
18 **RECREATIONAL LICENSES OR STAMPS FOR USE BY GOLD STAR RECIPIENTS,**
19 **DISABLED VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, OR**
20 **PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Natural
22 Resources shall implement the recreational license donation program established under
23 this Act at or before the beginning of hunting license sales for the 2017–2018 hunting
24 license year.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2016.