

SENATE BILL 95

M2

9lr0759

By: ~~Senator Simonaire~~ Senators Simonaire and Bailey

Introduced and read first time: January 11, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 26, 2019

CHAPTER _____

1 AN ACT concerning

2 Natural Resources – Recreational License Donation Program and Fund –
3 ~~Program Extension and Monetary Donations via Electronic Licensing Revisions~~

4 FOR the purpose of changing the name of the Recreational License Donation Fund to the
5 Healing Heroes Hunting and Fishing Fund; requiring the Department of Natural
6 Resources to establish a process for an individual purchasing certain licenses and
7 stamps in a certain manner to make a voluntary monetary donation to the
8 ~~Recreational License Donation~~ Fund; requiring the Department to collect donations

9 and deposit them into the Fund; authorizing the Fund to be used for grants to certain
10 eligible sponsor organizations that provide recreational hunting or fishing
11 opportunities for Gold Star recipients or certain disabled persons; authorizing the
12 Department to make grants to eligible sponsor organizations; specifying the
13 purposes for which a grant awarded to an eligible sponsor organization may be used;
14 expanding the contents of the Fund to include donations made under this Act;
15 defining a certain term; making conforming changes; extending the termination date
16 for certain provisions of law establishing the recreational license donation program;
17 providing for the termination of this Act; ~~making a stylistic change;~~ and generally
18 relating to the recreational license donation program and the Healing Heroes
19 Hunting and Fishing Fund.

20 BY repealing and reenacting, with amendments,

21 Article – Natural Resources

22 Section 1–403 and ~~1–405(b)~~ 1–405

23 Annotated Code of Maryland

24 (2018 Replacement Volume)

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 BY repealing and reenacting, with amendments,
2 Chapter 424 of the Acts of the General Assembly of 2016
3 Section 4

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

6 **Article – Natural Resources**

7 1–403.

8 (a) Notwithstanding any other provision of this article, the Department may
9 develop and implement an electronic system for the sale and issuance of licenses, permits,
10 and registrations and the recording and releasing of security interests.

11 (b) The electronic system may include provisions for:

12 (1) Recording titling and registration data;

13 (2) Recording and releasing liens without the issuance of a security interest
14 filing; and

15 (3) Recording information relating to an application for a license, permit,
16 or registration.

17 (c) The Department shall develop the electronic system consistent with the
18 statewide information technology master plan developed under Title 3A, Subtitle 3 of the
19 State Finance and Procurement Article.

20 [(d) The Department may adopt regulations to:

21 (1) Implement the electronic system authorized under this section; and

22 (2) Determine the appropriate fee levels that may be charged by a vendor
23 and by the Department for the electronic transmission service.]

24 (D) (1) THE DEPARTMENT SHALL ESTABLISH A PROCESS THROUGH
25 WHICH AN INDIVIDUAL WHO PURCHASES AN ANGLER'S LICENSE, A CHESAPEAKE
26 BAY AND COASTAL SPORT FISHING LICENSE, OR A HUNTING LICENSE AND ANY
27 CORRESPONDING STAMPS THROUGH THE ELECTRONIC SYSTEM MAY MAKE A
28 VOLUNTARY MONETARY DONATION TO THE ~~RECREATIONAL LICENSE DONATION~~
29 HEALING HEROES HUNTING AND FISHING FUND AT THE TIME OF PURCHASE.

30 (2) THE DEPARTMENT SHALL COLLECT THE DONATIONS RECEIVED
31 UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DEPOSIT THEM INTO THE

1 ~~RECREATIONAL LICENSE DONATION~~ HEALING HEROES HUNTING AND FISHING
2 FUND.

3 (3) THE DONATION PROCESS ESTABLISHED UNDER PARAGRAPH (1)
4 OF THIS SUBSECTION:

5 (I) SHALL BE MADE AVAILABLE ONLY TO AN INDIVIDUAL
6 PURCHASING DIRECTLY THROUGH THE ELECTRONIC SYSTEM; AND

7 (II) MAY NOT BE MADE AVAILABLE TO AN INDIVIDUAL
8 PURCHASING THROUGH AN AUTHORIZED VENDOR.

9 (e) (1) (i) The Department shall establish a process through which an
10 individual who purchases a license, permit, or registration through the electronic system
11 may make a voluntary monetary donation to the Chesapeake Bay Trust and the
12 Chesapeake and Atlantic Coastal Bays 2010 Trust Fund at the time the license, permit, or
13 registration is purchased.

14 (ii) The donation process established in subparagraph (i) of this
15 paragraph:

16 1. Shall be made available only to an individual purchasing
17 directly through the electronic system; and

18 2. May not be made available to an individual purchasing
19 through an authorized vendor.

20 (2) The Department shall:

21 (i) Collect any donations made under this subsection; and

22 (ii) Distribute the proceeds of the donations as follows:

23 1. 50% to the Chesapeake Bay Trust established under §
24 8-1902 of this article; and

25 2. 50% to the Chesapeake and Atlantic Coastal Bays 2010
26 Trust Fund established under § 8-2A-02 of this article.

27 (3) (i) The Chesapeake Bay Trust may use the funds it receives under
28 this subsection only to provide grants and other resources to nonprofit organizations,
29 community associations, civic groups, schools, or public agencies for projects to enhance or
30 promote:

1. Public education, including the publication or production concerning the Chesapeake Bay, the Maryland coastal bays, the, and other natural resources;
2. The preservation or enhancement of water quality and fish
3. The restoration of aquatic or land resources;
4. Reforestation; and
5. Training in environmental studies or enhancement.

(F) THE DEPARTMENT MAY ADOPT REGULATIONS TO:

20 (1) IMPLEMENT THE ELECTRONIC SYSTEM AUTHORIZED UNDER THIS
21 SECTION; AND

25 1-405.

26 (a) (1) In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS
27 INDICATED.

4 (b) A person may purchase and donate an angler's license, a Chesapeake Bay and
5 coastal sport fishing license, or a hunting license and any corresponding stamps for
6 issuance in accordance with this section.

7 (c) (1) The Department may issue a donated license or stamp only for use by
8 a Gold Star recipient, a disabled veteran, a disabled member of the armed forces of the
9 United States, or a permanently disabled person who requires the use of a wheelchair.

10 (2) A recipient of a donated license or stamp shall be sponsored by [a
11 nonprofit charitable organization that provides recreational hunting or fishing
12 opportunities for Gold Star recipients, disabled veterans, disabled members of the armed
13 forces of the United States, or permanently disabled persons who require the use of a
14 wheelchair] AN ELIGIBLE SPONSOR ORGANIZATION.

15 (3) A recipient of a donated hunting license is subject to the hunting safety
16 requirements under § 10-301.1 of this article.

17 (d) Only one eligible person may hunt under the authority of a donated license or
18 stamp during one recreational license year.

19 (e) The Department:

(2) May issue a donated license or stamp to an eligible resident or nonresident of the State.

23 (f) On or before October 1, 2017, and each year thereafter, the Department shall
24 post on its website the names of the persons who donated recreational licenses or stamps
25 in the previous recreational license years, unless a person who donates a license or stamp
26 requests anonymity.

27 (g) (1) THE DEPARTMENT MAY USE FUNDS DONATED UNDER THIS
28 SECTION TO MAKE GRANTS TO ELIGIBLE SPONSOR ORGANIZATIONS.

1 **(H)** The Department shall adopt regulations to implement this section, including
2 regulations establishing eligibility requirements for [donors]:

3 **(1)** DONORS, sponsors, and recipients of donated recreational licenses and
4 stamps; AND

5 **(2)** APPLICANTS FOR GRANTS TO ELIGIBLE SPONSOR
6 ORGANIZATIONS.

7 ~~(b) (1)~~ (1) In this subsection, “Fund” means the ~~Recreational License Donation~~
8 HEALING HEROES HUNTING AND FISHING Fund.

9 (2) There is a ~~Recreational License Donation~~ HEALING HEROES
10 HUNTING AND FISHING Fund.

11 (3) The purpose of the Fund is to provide recreational hunting and fishing
12 opportunities for Gold Star recipients, disabled veterans, disabled members of the armed
13 forces of the United States, and permanently disabled persons who require the use of a
14 wheelchair.

15 (4) The Secretary shall administer the Fund.

16 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §
17 7-302 of the State Finance and Procurement Article.

18 (ii) The State Treasurer shall hold the Fund separately, and the
19 Comptroller shall account for the Fund.

20 (6) The Fund consists of:

21 (i) Revenue collected by the Department for the purchase and
22 donation of recreational hunting or fishing licenses or stamps under this section;

23 (ii) **DONATIONS COLLECTED BY THE DEPARTMENT UNDER §**
24 **1-403(D) OF THIS SUBTITLE;**

25 (III) Money appropriated in the State budget to the Fund; and

26 [(iii)] (IV) Any other money from any other source accepted for the
27 benefit of the Fund.

28 (7) The Fund may be used only for donated:

29 (I) DONATED recreational hunting or fishing licenses or stamps for
30 use by Gold Star recipients, disabled veterans, disabled members of the armed forces of the
31 United States, or permanently disabled persons who require the use of a wheelchair; AND

(8) (i) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

5 (ii) Any interest earnings of the Fund shall be credited to the
6 General Fund of the State.

(9) Expenditures from the Fund may be made only in accordance with the
State budget.

Chapter 424 of the Acts of 2016

17 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2016. It shall remain effective for a period of [3] **6** years and, at the end of June 30,
19 [2019] **2022**, with no further action required by the General Assembly, this Act shall be
20 abrogated and of no further force and effect.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2019. It shall remain effective until the taking effect of the termination provision in
23 Section 4 of Chapter 424 of the Acts of the General Assembly of 2016, as enacted by Section
24 1 of this Act. If that termination provision takes effect, this Act, with no further action
25 required by the General Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.