

HOUSE BILL 478

Unofficial Copy  
M1

2000 Regular Session  
0lr1224  
CF 0lr2731

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By: **Delegates Guns, Walkup, and Weir**  
Introduced and read first time: February 4, 2000  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Upland Wildlife Habitat Fund**

3 FOR the purpose of authorizing the Department of Natural Resources to use certain  
4 funds for the purpose of planting food or cover for game birds and mammals;  
5 authorizing the Department to enter into contracts with farmers to reimburse  
6 farmers for certain planting to provide food or cover for game birds and  
7 mammals; creating an Upland Wildlife Habitat Fund as a special, nonlapsing  
8 fund in the Department; providing for funding of the Fund through voluntary  
9 donation; requiring the Secretary of the Department to administer the Fund;  
10 limiting how the Fund may be used; requiring the Secretary to use the Fund for  
11 specified purposes; providing that designated persons who sell hunting licenses  
12 and collect donations to the Fund may retain as compensation a certain  
13 percentage of each donation received; and generally relating to hunting licenses  
14 and the Upland Wildlife Habitat Fund.

15 BY repealing and reenacting, without amendments,  
16 Article - Natural Resources  
17 Section 10-301(g) through (k), inclusive  
18 Annotated Code of Maryland  
19 (1990 Replacement Volume and 1999 Supplement)  
20 (As enacted by Chapter 703 of the Acts of the General Assembly of 1999)

21 BY repealing and reenacting, with amendments,  
22 Article - Natural Resources  
23 Section 10-301(l) and (m)  
24 Annotated Code of Maryland  
25 (1990 Replacement Volume and 1999 Supplement)  
26 (As enacted by Chapter 703 of the Acts of the General Assembly of 1999)

27 BY adding to  
28 Article - Natural Resources  
29 Section 10-301(n)  
30 Annotated Code of Maryland

1 (1990 Replacement Volume and 1999 Supplement)

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

4 **Article - Natural Resources**

5 10-301.

6 (g) The person designated to sell the hunting licenses and individual hunting  
7 stamps shall issue the hunting licenses and individual hunting stamps and collect the  
8 fee prescribed in subsection (f) of this section. A hunting license may not be issued to  
9 any person under the age of 16 years without the written consent of the person's  
10 parent or guardian. The Department shall furnish the hunting licenses and  
11 individual hunting stamps to the designated person. The issuing person shall  
12 countersign the license, and retain the duplicate copy of the license. The duplicate  
13 copies and money collected every month shall be mailed to the Department on the  
14 first day of the succeeding month each year. The designated person who sells and  
15 issues the hunting licenses and individual hunting stamps shall retain as  
16 compensation 50 cents for each senior consolidated annual license, senior  
17 consolidated lifetime license, resident and nonresident basic, or nonresident 3-day  
18 hunting license, and individual hunting stamp sold and issued and shall retain as  
19 compensation \$1 for each consolidated hunting license sold and issued, except a  
20 senior consolidated annual license and a senior consolidated lifetime license.

21 (h) A hunting license shall be valid for the period August 1 through July 31, of  
22 each year.

23 (i) The licensee shall sign the licensee's name in ink on the hunting license at  
24 the time the licensee obtains the hunting license. It may not be transferred to any  
25 other person.

26 (j) Upon issuing any hunting license, the Department shall furnish the  
27 licensee with a list of the names and addresses of every general hospital in the State  
28 which offers emergency medical treatment.

29 (k) When the Department has adequate computer capability, the Department  
30 shall compile statistics after the close of the hunting season each year concerning the  
31 sale of hunting licenses for the previous season, including the names, addresses,  
32 counties of residence, and ages of the persons who purchased the hunting licenses and  
33 the types of hunting licenses sold.

34 (l) (1) Except as provided in paragraph (2) of this subsection, the  
35 Department shall use any funds generated by the increase in fees that are charged for  
36 each hunting license for a nonresident under subsection (f)(5)(iv) and (v) and \$10.00 of  
37 each fee charged under subsection (f)(5)(vii) of this section only for the purpose of  
38 [feeding] PLANTING FOOD OR COVER FOR game birds and mammals in the State.

1           (2)     In fiscal year 1989, the Department shall use the funds under  
2 paragraph (1) of this subsection for any purpose that the Department considers  
3 appropriate.

4           (3)     In fiscal year 1990 and in each subsequent fiscal year, the  
5 Department shall use the funds under paragraph (1) of this subsection only for the  
6 purposes of the [feeding] FOOD OR COVER program under subsection (m) of this  
7 section.

8           (m)     The Department may enter into contracts with farmers in the State to  
9 reimburse the farmer for planting and leaving grains, grasses, and legumes, including  
10 clover, alfalfa, and soybeans, unharvested in the fields in order to be used to provide  
11 [feed] FOOD OR COVER for any game birds and mammals in the State.

12           (N)     (1)     THERE IS AN UPLAND WILDLIFE HABITAT FUND IN THE  
13 DEPARTMENT.

14           (2)     THE FUND CONSISTS OF:

15                   (I)     VOLUNTARY CONTRIBUTIONS MADE TO THE UPLAND WILDLIFE  
16 HABITAT FUND AT THE TIME OF PURCHASE OF A HUNTING LICENSE UNDER THIS  
17 SECTION; AND

18                   (II)    ANY OTHER DONATIONS MADE TO THE FUND.

19           (3)     THE SECRETARY SHALL ADMINISTER THE FUND.

20           (4)     THE FUND MAY BE USED ONLY AS PROVIDED IN THIS SUBSECTION.

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

23           (6)     THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME  
24 MANNER AS OTHER STATE FUNDS. ANY INVESTMENT EARNINGS OF THE FUND MAY  
25 NOT BE TRANSFERRED OR REVERT BACK TO THE GENERAL FUND, BUT SHALL  
26 REMAIN IN THE FUND TO BE USED FOR PURPOSES SPECIFIED IN THIS SUBSECTION.

27           (7)     THE SECRETARY SHALL USE THE FUND TO:

28                   (I)     PROVIDE COST-SHARE ASSISTANCE TO LANDOWNERS FOR  
29 PLANTING UPLAND WILDLIFE HABITAT;

30                   (II)    PROVIDE MATCHING FUNDS TO ACQUIRE GRANT FUNDING FOR  
31 UPLAND WILDLIFE HABITAT PROGRAMS;

32                   (III)   HIRE CONTRACTUAL STAFF TO IMPLEMENT UPLAND WILDLIFE  
33 HABITAT PROGRAMS IN THE STATE; AND

34                   (IV)   PROMOTE THE UPLAND WILDLIFE HABITAT FUND AND UPLAND  
35 WILDLIFE HABITAT PROGRAMS.

1           (8)     A DESIGNATED PERSON WHO SELLS HUNTING LICENSES UNDER  
2 THIS SECTION AND WHO ALSO COLLECTS DONATIONS FOR THE UPLAND WILDLIFE  
3 HABITAT FUND MAY RETAIN AS COMPENSATION 10% OF EACH DONATION THE  
4 PERSON RECEIVES.

5     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2000.