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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 3, 2000

CHAPTER _____

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

17 BY repealing and reenacting, without amendments,
18 Article - Natural Resources
19 Section 10-301(g) through (k), inclusive
20 Annotated Code of Maryland
21 (1990 Replacement Volume and 1999 Supplement)
22 (As enacted by Chapter 703 of the Acts of the General Assembly of 1999)

23 BY repealing and reenacting, with amendments,
24 Article - Natural Resources
25 Section 10-301(l) and (m)

1 Annotated Code of Maryland
2 (1990 Replacement Volume and 1999 Supplement)
3 (As enacted by Chapter 703 of the Acts of the General Assembly of 1999)

4 BY adding to
5 Article - Natural Resources
6 Section 10-301(n)
7 Annotated Code of Maryland
8 (1990 Replacement Volume and 1999 Supplement)

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

11 **Article - Natural Resources**

12 10-301.

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

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

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

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

36 (k) When the Department has adequate computer capability, the Department
37 shall compile statistics after the close of the hunting season each year concerning the
38 sale of hunting licenses for the previous season, including the names, addresses,

1 counties of residence, and ages of the persons who purchased the hunting licenses and
2 the types of hunting licenses sold.

3 (l) (1) Except as provided in paragraph (2) of this subsection, the
4 Department shall use ~~any funds generated by the increase in fees that are \$10.50 OF~~
5 EACH FEE charged for each hunting license for a nonresident under subsection
6 (f)(5)(iv) and (v) and \$10.00 of each fee charged under subsection (f)(5)(vii) of this
7 section only for the purpose of [feeding] PLANTING FOOD OR COVER FOR UPLAND
8 game birds and mammals AND WETLAND GAME BIRDS in the State.

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

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

16 (m) The Department may enter into contracts with farmers in the State to
17 reimburse the farmer for planting and leaving grains, grasses, and legumes, including
18 clover, alfalfa, and soybeans, unharvested in the fields in order to be used to provide
19 [feed] FOOD OR COVER for any UPLAND game birds and mammals AND WETLAND
20 GAME BIRDS in the State.

21 (N) (1) THERE IS AN UPLAND WILDLIFE HABITAT FUND IN THE
22 DEPARTMENT.

23 (2) THE FUND CONSISTS OF:

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

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

28 (3) THE SECRETARY SHALL ADMINISTER THE FUND.

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

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

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

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

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

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

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

7 (IV) PROMOTE THE UPLAND WILDLIFE HABITAT FUND AND UPLAND
8 WILDLIFE HABITAT PROGRAMS.

9 (8) THE SECRETARY MAY PRIORITIZE THE DUTIES UNDER PARAGRAPH
10 (7) OF THIS SUBSECTION TO MAXIMIZE THE EFFECTIVENESS OF UPLAND WILDLIFE
11 HABITAT PROGRAMS.

12 ~~(8)~~ (9) A DESIGNATED PERSON WHO SELLS HUNTING LICENSES
13 UNDER THIS SECTION AND WHO ALSO COLLECTS DONATIONS FOR THE UPLAND
14 WILDLIFE HABITAT FUND MAY RETAIN AS COMPENSATION 10% OF EACH DONATION
15 THE PERSON RECEIVES.

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