

SENATE BILL 775

M2

(6lr0526)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Environment and Transportation* —

Introduced by ~~Senator Simonaire~~ **Senators Simonaire, Rosapepe, Bates, Young, Zucker, Conway, Waugh, Nathan-Pulliam, and Pinsky**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 the Department to post under certain circumstances certain information on its Web
 2 site on or before a certain date each year; requiring the Department to adopt certain
 3 regulations; requiring the Department to implement the recreational license
 4 donation program at or before a certain time; establishing ~~that certain funds are~~
 5 ~~nonlapsing and not subject to reversion to the General Fund~~ the Recreational
 6 License Donation Fund as a special, nonlapsing fund; specifying the purpose of the
 7 Fund; requiring the Secretary of Natural Resources to administer the Fund;
 8 requiring the State Treasurer to hold the Fund and the Comptroller to account for
 9 the Fund; specifying the contents of the Fund; specifying the purpose for which the
 10 Fund may be used; providing for the investment of money in and expenditures from
 11 the Fund; defining a certain term; requiring the Department to submit a certain
 12 report on the recreational license donation program to the Governor and the General
 13 Assembly on or before a certain date; providing for the termination of this Act; and
 14 generally relating to the establishment of the recreational hunting and fishing
 15 license donation program.

16 BY adding to

17 Article – Natural Resources

18 Section 1–405

19 Annotated Code of Maryland

20 (2012 Replacement Volume and 2015 Supplement)

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

23 **Article – Natural Resources**

24 **1–405.**

25 **(A) IN THIS SECTION, “GOLD STAR RECIPIENT” MEANS A RECIPIENT OF THE**
 26 **U.S. DEPARTMENT OF DEFENSE GOLD STAR FOR SURVIVING SPOUSES, PARENTS,**
 27 **AND NEXT OF KIN OF MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES IN**
 28 **COMBAT.**

29 **(B) A PERSON MAY PURCHASE AND DONATE AN ANGLER’S LICENSE, A**
 30 **CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE, OR A HUNTING LICENSE**
 31 **AND ANY CORRESPONDING STAMPS FOR ISSUANCE IN ACCORDANCE WITH THIS**
 32 **SECTION.**

33 ~~(B)~~ **(C) (1) THE DEPARTMENT MAY ISSUE A DONATED LICENSE OR**
 34 **STAMP ONLY FOR USE BY A GOLD STAR RECIPIENT, A DISABLED VETERAN, A**
 35 **DISABLED MEMBER OF THE ARMED FORCES, OR A PERMANENTLY DISABLED PERSON**
 36 **WHO REQUIRES THE USE OF A WHEELCHAIR.**

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

6 **(3) A RECIPIENT OF A DONATED HUNTING LICENSE IS SUBJECT TO**
7 **THE HUNTING SAFETY REQUIREMENTS UNDER § 10-301.1 OF THIS ARTICLE.**

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

10 ~~(D)~~ **(E) THE DEPARTMENT:**

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

13 **(2) MAY ISSUE A DONATED LICENSE OR STAMP TO AN ELIGIBLE**
14 **RESIDENT OR NONRESIDENT OF THE STATE.**

15 ~~(E)~~ **(F) ON OR BEFORE OCTOBER 1, 2017, AND EACH YEAR THEREAFTER,**
16 **THE DEPARTMENT SHALL POST ON ITS WEB SITE THE NAMES OF THE PERSONS WHO**
17 **DONATED RECREATIONAL LICENSES OR STAMPS IN THE PREVIOUS RECREATIONAL**
18 **LICENSE YEARS, UNLESS A PERSON WHO DONATES A LICENSE OR STAMP REQUESTS**
19 **ANONYMITY.**

20 ~~(F)~~ **(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT**
21 **THIS SECTION, INCLUDING REGULATIONS ESTABLISHING ELIGIBILITY**
22 **REQUIREMENTS FOR DONORS, SPONSORS, AND RECIPIENTS OF DONATED**
23 **RECREATIONAL LICENSES AND STAMPS.**

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

27 **(1) IN THIS SUBSECTION, “FUND” MEANS THE RECREATIONAL**
28 **LICENSE DONATION FUND.**

29 **(2) THERE IS A RECREATIONAL LICENSE DONATION FUND.**

30 **(3) THE PURPOSE OF THE FUND IS TO PROVIDE RECREATIONAL**
31 **HUNTING AND FISHING OPPORTUNITIES FOR GOLD STAR RECIPIENTS, DISABLED**
32 **VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, AND PERMANENTLY**
33 **DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.**

1 **(4) THE SECRETARY SHALL ADMINISTER THE FUND.**

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

4 **(II) THE STATE TREASURER SHALL HOLD THE FUND**
5 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

6 **(6) THE FUND CONSISTS OF:**

7 **(I) REVENUE COLLECTED BY THE DEPARTMENT FOR THE**
8 **PURCHASE AND DONATION OF RECREATIONAL HUNTING OR FISHING LICENSES OR**
9 **STAMPS UNDER THIS SECTION;**

10 **(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
11 **FUND; AND**

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

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

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

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

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

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

30 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Natural
31 Resources shall implement the recreational license donation program established under

1 this Act at or before the beginning of hunting license sales for the 2017–2018 hunting
2 license year.

3 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31,
4 2018, the Department of Natural Resources shall submit a report to the Governor and, in
5 accordance with § 2–1246 of the State Government Article, the General Assembly that states:

6 (1) the number of donated licenses and stamps issued under the recreational
7 license donation program, aggregated by:

8 (i) the types of licenses issued; and

9 (ii) the status that formed the basis of the license recipient's eligibility
10 for the donated licenses;

11 (2) the nonprofit charitable organizations that sponsored recipients of
12 donated licenses, aggregated by the number and types of licenses issued;

13 (3) an accounting of the money deposited into and redeemed out of the
14 Recreational License Donation Fund; and

15 (4) any other information related to the recreational license donation
16 program that the Department considers relevant.

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 years and, at the end of June 30, 2019,
19 with no further action required by the General Assembly, this Act shall be abrogated and of
20 no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.