

# SENATE BILL 95

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By: **Senator Simonaire**

Introduced and read first time: January 11, 2019

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of requiring the Department of Natural Resources to establish a process  
5 for an individual purchasing certain licenses and stamps in a certain manner to  
6 make a voluntary monetary donation to the Recreational License Donation Fund;  
7 requiring the Department to collect donations and deposit them into the Fund;  
8 expanding the contents of the Fund to include donations made under this Act;  
9 extending the termination date for certain provisions of law establishing the  
10 recreational license donation program; providing for the termination of this Act;  
11 making a stylistic change; and generally relating to the recreational license donation  
12 program.

13 BY repealing and reenacting, with amendments,  
14 Article – Natural Resources  
15 Section 1–403 and 1–405(h)  
16 Annotated Code of Maryland  
17 (2018 Replacement Volume)

18 BY repealing and reenacting, with amendments,  
19 Chapter 424 of the Acts of the General Assembly of 2016  
20 Section 4

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 1–403.

25 (a) Notwithstanding any other provision of this article, the Department may

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 develop and implement an electronic system for the sale and issuance of licenses, permits,  
2 and registrations and the recording and releasing of security interests.

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

4 (1) Recording titling and registration data;

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

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

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

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

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

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

16 **(D) (1) THE DEPARTMENT SHALL ESTABLISH A PROCESS THROUGH**  
17 **WHICH AN INDIVIDUAL WHO PURCHASES AN ANGLER'S LICENSE, A CHESAPEAKE**  
18 **BAY AND COASTAL SPORT FISHING LICENSE, OR A HUNTING LICENSE AND ANY**  
19 **CORRESPONDING STAMPS THROUGH THE ELECTRONIC SYSTEM MAY MAKE A**  
20 **VOLUNTARY MONETARY DONATION TO THE RECREATIONAL LICENSE DONATION**  
21 **FUND AT THE TIME OF PURCHASE.**

22 **(2) THE DEPARTMENT SHALL COLLECT THE DONATIONS RECEIVED**  
23 **UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DEPOSIT THEM INTO THE**  
24 **RECREATIONAL LICENSE DONATION FUND.**

25 **(3) THE DONATION PROCESS ESTABLISHED UNDER PARAGRAPH (1)**  
26 **OF THIS SUBSECTION:**

27 **(I) SHALL BE MADE AVAILABLE ONLY TO AN INDIVIDUAL**  
28 **PURCHASING DIRECTLY THROUGH THE ELECTRONIC SYSTEM; AND**

29 **(II) MAY NOT BE MADE AVAILABLE TO AN INDIVIDUAL**  
30 **PURCHASING THROUGH AN AUTHORIZED VENDOR.**

31 (e) (1) (i) The Department shall establish a process through which an

1 individual who purchases a license, permit, or registration through the electronic system  
2 may make a voluntary monetary donation to the Chesapeake Bay Trust and the  
3 Chesapeake and Atlantic Coastal Bays 2010 Trust Fund at the time the license, permit, or  
4 registration is purchased.

5 (ii) The donation process established in subparagraph (i) of this  
6 paragraph:

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

9 2. May not be made available to an individual purchasing  
10 through an authorized vendor.

11 (2) The Department shall:

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

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

14 1. 50% to the Chesapeake Bay Trust established under §  
15 8–1902 of this article; and

16 2. 50% to the Chesapeake and Atlantic Coastal Bays 2010  
17 Trust Fund established under § 8–2A–02 of this article.

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

22 1. Public education, including the publication or production  
23 of educational materials, concerning the Chesapeake Bay, the Maryland coastal bays, the  
24 Youghiogheny watershed, and other natural resources;

25 2. The preservation or enhancement of water quality and fish  
26 or wildlife habitat;

27 3. The restoration of aquatic or land resources;

28 4. Reforestation; and

29 5. Training in environmental studies or enhancement.

30 (ii) Funds distributed to the Chesapeake and Atlantic Coastal Bays  
31 2010 Trust Fund may be used to provide financial assistance necessary to advance  
32 Maryland's progress in meeting the goals established in the 2014 Chesapeake Bay

1 Watershed Agreement and to restore the health of the Atlantic Coastal Bays by focusing  
2 on nonpoint source pollution control projects, as authorized under Title 8, Subtitle 2A of  
3 this article.

4 (4) On or before December 1 each year, the Department shall report to the  
5 Governor and, in accordance with § 2-1246 of the State Government Article, the General  
6 Assembly on the collection, distribution, and expenditure of any voluntary monetary  
7 donations made under this subsection in the previous fiscal year.

8 **(F) THE DEPARTMENT MAY ADOPT REGULATIONS TO:**

9 **(1) IMPLEMENT THE ELECTRONIC SYSTEM AUTHORIZED UNDER THIS**  
10 **SECTION; AND**

11 **(2) DETERMINE THE APPROPRIATE FEE LEVELS THAT MAY BE**  
12 **CHARGED BY A VENDOR AND BY THE DEPARTMENT FOR THE ELECTRONIC**  
13 **TRANSMISSION SERVICE.**

14 1-405.

15 (h) (1) In this subsection, "Fund" means the Recreational License Donation  
16 Fund.

17 (2) There is a Recreational License Donation Fund.

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

22 (4) The Secretary shall administer the Fund.

23 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §  
24 7-302 of the State Finance and Procurement Article.

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

27 (6) The Fund consists of:

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

30 (ii) **DONATIONS COLLECTED BY THE DEPARTMENT UNDER §**  
31 **1-403(D) OF THIS SUBTITLE;**

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

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

4 (7) The Fund may be used only for donated recreational hunting or fishing  
5 licenses or stamps for use by Gold Star recipients, disabled veterans, disabled members of  
6 the armed forces of the United States, or permanently disabled persons who require the  
7 use of a wheelchair.

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

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

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

14 (10) Money expended from the Fund for donated recreational licenses or  
15 stamps is supplemental to and is not intended to take the place of funding that otherwise  
16 would be appropriated for recreational licenses or stamps for use by Gold Star recipients,  
17 disabled veterans, disabled members of the armed forces of the United States, or  
18 permanently disabled persons who require the use of a wheelchair.

#### 19 Chapter 424 of the Acts of 2016

20 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
21 1, 2016. It shall remain effective for a period of [3] 6 years and, at the end of June 30,  
22 [2019] 2022, with no further action required by the General Assembly, this Act shall be  
23 abrogated and of no further force and effect.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
25 1, 2019. It shall remain effective until the taking effect of the termination provision in  
26 Section 4 of Chapter 424 of the Acts of the General Assembly of 2016, as enacted by Section  
27 1 of this Act. If that termination provision takes effect, this Act, with no further action  
28 required by the General Assembly, shall be abrogated and of no further force and effect.