

SENATE BILL 422

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3lr2233
CF 3lr2876

By: **Senators Bailey, Elfreth, and McCray**

Introduced and read first time: February 2, 2023

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Black Bass Conservation Fund – Establishment**

3 FOR the purpose of establishing the Black Bass Conservation Fund as a special, nonlapsing
4 fund; requiring the Department of Natural Resources to establish a process through
5 which an individual who purchases a certain license online may make a voluntary
6 donation to the Fund; and generally relating to the Black Bass Conservation Fund.

7 BY repealing and reenacting, with amendments,

8 Article – Natural Resources

9 Section 1–403

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2022 Supplement)

12 BY adding to

13 Article – Natural Resources

14 Section 4–209.1

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2022 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Natural Resources**

20 1–403.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) Recording titling and registration data;
- 2 (2) Recording and releasing liens without the issuance of a security interest
3 filing; and
- 4 (3) Recording information relating to an application for a license, permit,
5 or registration.

6 (c) The Department shall develop the electronic system consistent with the
7 statewide information technology master plan developed under Title 3.5, Subtitle 3 of the
8 State Finance and Procurement Article.

9 (d) (1) Subject to subsection ~~[(f)] (G)~~ of this section, the Department shall
10 establish a process through which an individual who purchases an angler's license, a
11 Chesapeake Bay and coastal sport fishing license, or a hunting license and any
12 corresponding stamps through the electronic system may make a voluntary monetary
13 donation to the Healing Hunting and Fishing Fund at the time of purchase.

14 (2) The Department shall collect the donations received under paragraph
15 (1) of this subsection and deposit them into the Healing Hunting and Fishing Fund.

16 (e) (1) Subject to subsection ~~[(f)] (G)~~ of this section, the Department shall
17 establish a process through which an individual who purchases a license, permit, or
18 registration through the electronic system may make a voluntary monetary donation to the
19 Chesapeake Bay Trust and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund at
20 the time the license, permit, or registration is purchased.

21 (2) The Department shall:

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

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

24 1. 50% to the Chesapeake Bay Trust established under §
25 8–1902 of this article; and

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

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

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

4 2. The preservation or enhancement of water quality and fish
5 or wildlife habitat;

6 3. The restoration of aquatic or land resources;

7 4. Reforestation; and

8 5. Training in environmental studies or enhancement.

9 (ii) Funds distributed to the Chesapeake and Atlantic Coastal Bays
10 2010 Trust Fund may be used to provide financial assistance necessary to advance
11 Maryland's progress in meeting the goals established in the 2014 Chesapeake Bay
12 Watershed Agreement and to restore the health of the Atlantic Coastal Bays by focusing
13 on nonpoint source pollution control projects, as authorized under Title 8, Subtitle 2A of
14 this article.

15 (4) On or before December 1 each year, the Department shall report to the
16 Governor and, in accordance with § 2-1257 of the State Government Article, the General
17 Assembly on the collection, distribution, and expenditure of any voluntary monetary
18 donations made under this subsection in the previous fiscal year.

19 (f) **(1) SUBJECT TO SUBSECTION (G) OF THIS SECTION, THE**
20 **DEPARTMENT SHALL ESTABLISH A PROCESS THROUGH WHICH AN INDIVIDUAL WHO**
21 **PURCHASES AN ANGLER'S LICENSE OR A CHESAPEAKE BAY AND COASTAL SPORT**
22 **FISHING LICENSE THROUGH THE ELECTRONIC SYSTEM MAY MAKE A VOLUNTARY**
23 **MONETARY DONATION TO THE BLACK BASS CONSERVATION FUND AT THE TIME OF**
24 **PURCHASE.**

25 **(2) THE DEPARTMENT SHALL COLLECT THE DONATIONS RECEIVED**
26 **UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DEPOSIT THEM INTO THE BLACK**
27 **BASS CONSERVATION FUND, ESTABLISHED UNDER § 4-209.1 OF THIS ARTICLE.**

28 **(G)** The donation process established under subsections [(d) and (e)] **(D), (E), AND**
29 **(F)** of this section:

30 (1) Shall be made available only to an individual purchasing directly
31 through the electronic system;

32 (2) May not be made available to an individual purchasing through an
33 authorized vendor; and

1 (3) Shall be limited to providing not more than two options to which an
2 individual may make a monetary donation.

3 **[(g)] (H)** The Department may adopt regulations to:

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

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

7 **4-209.1.**

8 **(A) IN THIS SECTION, "FUND" MEANS THE BLACK BASS CONSERVATION**
9 **FUND.**

10 **(B) THERE IS A BLACK BASS CONSERVATION FUND IN THE DEPARTMENT.**

11 **(C) THE PURPOSE OF THE FUND IS TO FURTHER BLACK BASS**
12 **MANAGEMENT.**

13 **(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.**

14 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
15 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

16 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
17 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

18 **(F) THE FUND CONSISTS OF:**

19 **(1) DONATIONS COLLECTED BY THE DEPARTMENT UNDER § 1-403(F)**
20 **OF THIS ARTICLE;**

21 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**
22 **AND**

23 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
24 **THE BENEFIT OF THE FUND.**

25 **(G) THE DEPARTMENT MAY USE MONEY IN THE FUND TO:**

26 **(1) STOCK BLACK BASS;**

27 **(2) ENHANCE AQUATIC HABITATS FOR BLACK BASS;**

1 **(3) SUPPORT RESPONSIBLE BLACK BASS TOURNAMENTS; AND**

2 **(4) SUPPORT SCIENTIFIC RESEARCH RELATED TO BLACK BASS**
3 **CONSERVATION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2023.