

SENATE BILL 95

M2

(9lr0759)

ENROLLED BILL

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

Introduced by ~~Senator Simonaire~~ Senators Simonaire and Bailey

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 and Fund –**
3 ~~**Program Extension and Monetary Donations via Electronic Licensing Revisions**~~
4 ***Program Extension and Fund Name Change***

5 FOR the purpose of changing the name of the Recreational License Donation Fund to the
6 Healing Heroes Hunting and Fishing Fund; requiring the Department of Natural
7 Resources to establish a process for an individual purchasing certain licenses and
8 stamps in a certain manner to make a voluntary monetary donation to the
9 Recreational License Donation Fund; requiring the Department to collect donations
10 and deposit them into the Fund; authorizing the Fund to be used for grants to certain
11 eligible sponsor organizations that provide recreational hunting or fishing
12 opportunities for Gold Star recipients or certain disabled persons; authorizing the
13 Department to make grants to eligible sponsor organizations; specifying the
14 purposes for which a grant awarded to an eligible sponsor organization may be used;
15 expanding the contents of the Fund to include donations made under this Act;

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.



~~defining a certain term; making conforming changes; extending the termination date for certain provisions of law establishing the recreational license donation program; providing for the termination of this Act; making a stylistic change; and generally relating to the recreational license donation program and the Healing Heroes Hunting and Fishing Fund.~~

BY repealing and reenacting, with amendments,
 Article – Natural Resources
 Section ~~1-403 and 1-405(h)~~ 1-405
 Annotated Code of Maryland
 (2018 Replacement Volume)

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

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

Article – Natural Resources

~~1-403.~~

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

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

~~(1) Recording titling and registration data;~~

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

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

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

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

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

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

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

~~(2) THE DEPARTMENT SHALL COLLECT THE DONATIONS RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DEPOSIT THEM INTO THE RECREATIONAL LICENSE DONATION HEALING HEROES HUNTING AND FISHING FUND.~~

~~(3) THE DONATION PROCESS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION:~~

~~(i) SHALL BE MADE AVAILABLE ONLY TO AN INDIVIDUAL PURCHASING DIRECTLY THROUGH THE ELECTRONIC SYSTEM; AND~~

~~(ii) MAY NOT BE MADE AVAILABLE TO AN INDIVIDUAL PURCHASING THROUGH AN AUTHORIZED VENDOR.~~

~~(e) (1) (i) The Department shall establish a process through which an individual who purchases a license, permit, or registration through the electronic system may make a voluntary monetary donation to the Chesapeake Bay Trust and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund at the time the license, permit, or registration is purchased.~~

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

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

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

~~(2) The Department shall:~~

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

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

~~1. 50% to the Chesapeake Bay Trust established under § 8-1902 of this article; and~~

1 (a) ~~(1) In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS~~
 2 ~~INDICATED.~~

3 ~~(2) "ELIGIBLE SPONSOR ORGANIZATION" MEANS A NONPROFIT~~
 4 ~~CHARITABLE ORGANIZATION THAT PROVIDES RECREATIONAL HUNTING OR FISHING~~
 5 ~~OPPORTUNITIES FOR GOLD STAR RECIPIENTS, DISABLED VETERANS, DISABLED~~
 6 ~~MEMBERS OF THE ARMED FORCES OF THE UNITED STATES, OR PERMANENTLY~~
 7 ~~DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.~~

8 (3) "Gold Star recipient" means a recipient of the U.S. Department of
 9 Defense Gold Star for surviving spouses, parents, and next of kin of members of the armed
 10 forces of the United States who lost their lives in combat.

11 (b) A person may purchase and donate an angler's license, a Chesapeake Bay and
 12 coastal sport fishing license, or a hunting license and any corresponding stamps for
 13 issuance in accordance with this section.

14 (c) (1) The Department may issue a donated license or stamp only for use by
 15 a Gold Star recipient, a disabled veteran, a disabled member of the armed forces of the
 16 United States, or a permanently disabled person who requires the use of a wheelchair.

17 (2) A recipient of a donated license or stamp shall be sponsored by ~~a~~
 18 ~~nonprofit charitable organization that provides recreational hunting or fishing~~
 19 ~~opportunities for Gold Star recipients, disabled veterans, disabled members of the armed~~
 20 ~~forces of the United States, or permanently disabled persons who require the use of a~~
 21 ~~wheelchair.] AN ELIGIBLE SPONSOR ORGANIZATION.~~

22 (3) A recipient of a donated hunting license is subject to the hunting safety
 23 requirements under § 10-301.1 of this article.

24 (d) Only one eligible person may hunt under the authority of a donated license or
 25 stamp during one recreational license year.

26 (e) The Department:

27 (1) May not charge a fee for the issuance of a donated license or stamp; and

28 (2) May issue a donated license or stamp to an eligible resident or
 29 nonresident of the State.

30 (f) On or before October 1, 2017, and each year thereafter, the Department shall
 31 post on its website the names of the persons who donated recreational licenses or stamps
 32 in the previous recreational license years, unless a person who donates a license or stamp
 33 requests anonymity.

1 (g) ~~(1) THE DEPARTMENT MAY USE FUNDS DONATED UNDER THIS~~
 2 ~~SECTION TO MAKE GRANTS TO ELIGIBLE SPONSOR ORGANIZATIONS.~~

3 ~~(2) A GRANT AWARDED UNDER THIS SUBSECTION MAY BE USED ONLY~~
 4 ~~TO PAY CAPITAL, OPERATIONAL, OR PROGRAMMING COSTS INCURRED BY AN~~
 5 ~~ELIGIBLE SPONSOR ORGANIZATION IN PROVIDING RECREATIONAL HUNTING AND~~
 6 ~~FISHING OPPORTUNITIES FOR GOLD STAR RECIPIENTS, DISABLED VETERANS,~~
 7 ~~DISABLED MEMBERS OF THE ARMED FORCES OF THE UNITED STATES, OR~~
 8 ~~PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.~~

9 ~~(H)~~ The Department shall adopt regulations to implement this section, including
 10 regulations establishing eligibility requirements for ~~{donors}~~;

11 ~~(1) DONORS~~, sponsors, and recipients of donated recreational licenses and
 12 ~~stamps; AND~~

13 ~~(2) APPLICANTS FOR GRANTS TO ELIGIBLE SPONSOR~~
 14 ~~ORGANIZATIONS.~~

15 ~~(h) (H) (h)~~ (1) In this subsection, "Fund" means the ~~Recreational License~~
 16 ~~Donation~~ HEALING HEROES HUNTING AND FISHING Fund.

17 (2) There is a ~~Recreational License Donation~~ HEALING HEROES
 18 HUNTING AND FISHING Fund.

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

23 (4) The Secretary shall administer the Fund.

24 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §
 25 7-302 of the State Finance and Procurement Article.

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

28 (6) The Fund consists of:

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

31 (ii) ~~DONATIONS COLLECTED BY THE DEPARTMENT UNDER §~~
 32 ~~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~~

5 ~~(I)~~ ~~DONATED~~ *donated* recreational hunting or fishing licenses or
6 stamps for use by Gold Star recipients, disabled veterans, disabled members of the armed
7 forces of the United States, or permanently disabled persons who require the use of a
8 wheelchair; ~~AND~~

9 ~~(II) GRANTS TO ELIGIBLE SPONSOR ORGANIZATIONS, IN~~
10 ~~ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION.~~

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

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

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

17 (10) Money expended from the Fund for donated recreational licenses or
18 stamps ~~AND GRANTS TO ELIGIBLE SPONSOR ORGANIZATIONS~~ is supplemental to and is
19 not intended to take the place of funding that otherwise would be appropriated for
20 ~~recreational licenses or stamps for use by PROVIDING RECREATIONAL HUNTING AND~~
21 ~~FISHING OPPORTUNITIES FOR~~ *recreational licenses or stamps for use by* Gold Star
22 recipients, disabled veterans, disabled members of the armed forces of the United States,
23 or permanently disabled persons who require the use of a wheelchair.

24 **Chapter 424 of the Acts of 2016**

25 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2016. It shall remain effective for a period of [3] 6 years and, at the end of June 30,
27 [2019] 2022, with no further action required by the General Assembly, this Act shall be
28 abrogated and of no further force and effect.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2019. It shall remain effective until the taking effect of the termination provision in
31 Section 4 of Chapter 424 of the Acts of the General Assembly of 2016, as enacted by Section
32 1 of this Act. If that termination provision takes effect, this Act, with no further action
33 required by the General Assembly, shall be abrogated and of no further force and effect.