

HOUSE BILL 1000

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2001 Regular Session
11r1521

By: **Delegates Guns and Weir**

Introduced and read first time: February 9, 2001

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2001

CHAPTER 516

1 AN ACT concerning

2 **Deer - Hunting Seasons - Federal Facility**

3 FOR the purpose of ~~providing an exception to bag limits established by the~~
4 ~~Department of Natural Resources for certain federal facilities; requiring the~~
5 ~~Department to authorize certain federal facilities to establish their deer hunting~~
6 ~~seasons and bag limits~~ establishing the fee for bonus deer stamps issued for an
7 individual hunting deer on a federal facility; requiring the Department of
8 Natural Resources to review a request from a federal facility for a certain
9 variance from the established deer hunting season; authorizing the Department
10 to take certain action, on a request for a variance from a federal facility;
11 defining a certain term; and generally relating to deer hunting seasons for a
12 federal facility.

13 BY renumbering

14 Article - Natural Resources
15 Section 10-101(f) through (aa), respectively
16 to be Section 10-101(g) through (bb), respectively
17 Annotated Code of Maryland
18 (2000 Replacement Volume)

19 BY repealing and reenacting, with amendments,

20 Article - Natural Resources
21 Section 10-101(e) and ~~10-409~~ 10-415
22 Annotated Code of Maryland
23 (2000 Replacement Volume)

24 BY adding to

1 Article - Natural Resources
 2 Section 10-101(e)
 3 Annotated Code of Maryland
 4 (2000 Replacement Volume)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 6 MARYLAND, That Section(s) 10-101(f) through (aa), respectively, of Article - Natural
 7 Resources of the Annotated Code of Maryland be renumbered to be Section(s)
 8 10-101(g) through (bb), respectively.

9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 10 read as follows:

11 **Article - Natural Resources**

12 10-101.

13 (E) (1) "FEDERAL FACILITY" MEANS FEDERAL LAND IN THE STATE.

14 (2) "FEDERAL FACILITY" INCLUDES MILITARY BASES, NATIONAL
 15 WILDLIFE REFUGES, AND UNITS OF THE NATIONAL PARK SYSTEM.

16 [(e)] (F) "Forest game birds and mammals" means forest game birds (ruffed
 17 grouse and turkey) and forest game mammals (black bears, deer, fox squirrels,
 18 excluding the Delmarva subspecies, and gray and red squirrels) or any part, egg,
 19 offspring, or dead body of any of them.

20 ~~10-409.~~

21 (A) ~~[Pursuant to] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS~~
 22 ~~SECTION, UNDER § 10-205 of this title, the Department shall establish and publish by~~
 23 ~~April 25 each year the bag limits per day for game birds and mammals by regulation~~
 24 ~~for the ensuing year. The bag limits for ducks, geese, brant, railbirds, woodcock,~~
 25 ~~mergansers, doves, and snipe may conform to the federal migratory bird rules and~~
 26 ~~regulations adopted annually by the Secretary of Interior of the United States.~~

27 (B) ~~THIS SECTION DOES NOT APPLY TO BAG LIMITS FOR DEER HUNTING ON A~~
 28 ~~FEDERAL FACILITY.~~

29 10-415.

30 (a) There are the following 3 seasons to hunt deer:

31 (1) Deer bow hunting season;

32 (2) Deer firearms season; and

33 (3) Deer muzzle loader season.

1 (b) (1) Every person killing a deer shall report with the deer to a designated
2 checking station within 24 hours after killing the deer.

3 (2) Notwithstanding any requirement of law, if the designated checking
4 stations are closed in the county where a person kills a deer, a Natural Resources
5 police officer shall authorize the person to report with the deer to a designated
6 checking station in another county.

7 (c) (1) Subject to subsection (d)(3) of this section, a person with a
8 consolidated hunting license also may purchase bonus deer stamps from the
9 Department.

10 (2) A bonus deer stamp allows the person with the consolidated hunting
11 license to hunt 1 deer for each stamp purchased in any of the following hunting
12 seasons for deer in the State:

13 (i) Deer bow hunting season;

14 (ii) Deer muzzle loader season; and

15 (iii) Deer firearms season.

16 (3) ~~The (I)~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
17 PARAGRAPH, THE fee for each bonus deer stamp issued in accordance with this
18 subsection shall be \$5.00 for residents and \$25 for nonresidents.

19 (II) THE FEE FOR EACH BONUS DEER STAMP ISSUED UNDER THIS
20 SUBSECTION SHALL BE \$5.00 FOR AN INDIVIDUAL HUNTING DEER ON A FEDERAL
21 FACILITY.

22 (4) (i) The Department may establish by regulation the type and number
23 of deer stamps issued under this subsection if necessary to control the deer harvest in
24 various areas of the State.

25 (ii) 1. The Department shall establish by regulation an early
26 deer muzzle loader season on two consecutive Fridays and Saturdays in October.

27 2. The Department shall limit hunting during the second
28 weekend of the early deer muzzle loader season to antlerless deer only.

29 (d) (1) A person with a basic hunting license and any individual hunting
30 stamp also may purchase bonus deer stamps for use during any deer hunting season.

31 (2) (i) Except as provided in subparagraph (ii) of this paragraph and
32 subject to paragraph (3) of this subsection, the bonus deer stamp allows the person
33 with the basic license to hunt 1 deer in each hunting season for which the person has
34 purchased an individual hunting stamp.

1 (ii) An individual who purchases a bonus deer stamp but does not
2 use it during a particular season may use that stamp during any subsequent season
3 in that hunting license year.

4 (3) (i) The Department may issue a limited number of bonus
5 antlerless deer stamps for the purpose of regulating the harvest of antlerless deer in
6 a particular deer management region or zone.

7 (ii) The fee to apply for a bonus antlerless deer stamp is \$5 for
8 residents and \$25 for nonresidents.

9 (iii) The fee is nonrefundable if the applicant does not obtain an
10 antlerless deer stamp. If an individual obtains a bonus antlerless deer stamp, the
11 application fee for the stamp will be applied to the fee for the stamp and no additional
12 stamp fee will be required.

13 (e) A person may not remove the head or hide or any part from any deer,
14 except internal organs, or cut the meat into parts until the deer has been checked by
15 the Department or 1 of the Department's agents at a designated checking station.
16 Removal of the head or the hide of any deer not checked at a designated checking
17 station shall be prima facie evidence that the deer was hunted illegally. Each separate
18 deer or part of any deer taken illegally or found in possession shall be considered a
19 separate offense.

20 (f) Any person who, while operating a motor vehicle on any highway in the
21 State, accidentally strikes and kills a deer on the highway may have the deer if the
22 person produces visible evidence of collision with the deer to any Natural Resources
23 police officer, State law enforcement officer, or other designated representative of the
24 Secretary. The provisions of this subsection shall be applicable to deer killed by
25 collision with a motor vehicle at any time whether during the open season for killing
26 deer or during the legally closed season.

27 (g) A person may not hunt a deer while the deer is taking refuge in or
28 swimming through the waters of the State.

29 (h) The Department shall establish antlered and antlerless deer hunting
30 requirements in each deer management region to meet the goals of the Deer
31 Management Plan.

32 ~~(I) UPON WRITTEN REQUEST FROM A FEDERAL FACILITY, THE DEPARTMENT~~
33 ~~SHALL AUTHORIZE THE FEDERAL FACILITY TO ESTABLISH ITS OWN DEER HUNTING~~
34 ~~SEASON AND BAG LIMITS. UPON WRITTEN REQUEST FROM A FEDERAL FACILITY FOR~~
35 ~~A VARIANCE FROM THE ESTABLISHED DEER HUNTING SEASON, THE DEPARTMENT~~
36 ~~SHALL REVIEW THE REQUEST AND MAY:~~

37 (1) APPROVE THE REQUEST;

38 (2) DENY THE REQUEST; OR

39 (3) APPROVE THE REQUEST WITH CONDITIONS.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 ~~October~~ July 1, 2001.