

HOUSE BILL 126

M2

7lr0031

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Natural Resources)**

Introduced and read first time: January 18, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 14, 2017

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Wildlife and Hunting**

3 FOR the purpose of clarifying the authorized uses of the State Wildlife Management and
4 Protection Fund; repealing certain provisions of law requiring the Department of
5 Natural Resources to use certain funds from certain hunting license sales for certain
6 purposes; repealing certain reporting requirements for killed deer; requiring a
7 person who harvests a game bird or mammal to report the harvest in accordance
8 with certain regulations; prohibiting a person from removing any part of a deer or
9 cutting deer meat into parts until the person has obtained a certain confirmation
10 number from the Department; repealing certain requirements related to the
11 possession of a deer killed by a collision with a motor vehicle; requiring a person who
12 possesses a game bird or mammal killed by means other than hunting to report the
13 possession in accordance with certain regulations; repealing a provision of law
14 exempting a person hunting wildlife on the person's property from certain outerwear
15 requirements; repealing a provision of law prohibiting a nonresident from hunting
16 or trapping a beaver or otter in the State; making a technical correction; and
17 generally relating to wildlife and hunting in the State.

18 BY repealing and reenacting, without amendments,
19 Article – Natural Resources
20 Section 10–209(a), (b), (c), and (f) and 10–418(b)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2016 Supplement)

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.



1 BY repealing and reenacting, with amendments,
2 Article – Natural Resources
3 Section 10–209(g), 10–415(e), and 10–418(a)
4 Annotated Code of Maryland
5 (2012 Replacement Volume and 2016 Supplement)

6 BY repealing
7 Article – Natural Resources
8 Section 10–308, 10–415(b) and (f), and 10–503
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2016 Supplement)

11 BY adding to
12 Article – Natural Resources
13 Section 10–415(b) and (f)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2016 Supplement)

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

18 **Article – Natural Resources**

19 10–209.

20 (a) In this section, “Fund” means the State Wildlife Management and Protection
21 Fund.

22 (b) There is a State Wildlife Management and Protection Fund in the
23 Department.

24 (c) The purpose of the Fund is to finance the scientific investigation, protection,
25 propagation, and management of wildlife.

26 (f) The Fund consists of:

27 (1) Any money received for a license, stamp, application, or permit fee
28 under this title, unless otherwise provided; and

29 (2) Any investment earnings of the Fund.

30 (g) The Fund may be used **ONLY** for:

31 (1) The scientific investigation, protection, propagation, and management
32 of wildlife; and

1 (2) Administrative costs calculated in accordance with § 1–103(b)(2) of this
2 article.

3 [10–308.

4 (a) The Department shall use \$1 from the sale of each resident regular and full
5 season nonresident hunting license as follows:

6 (1) Up to 40 percent to:

7 (i) Provide bow hunter education;

8 (ii) Acquire, construct, and maintain public archery ranges; or

9 (iii) Perform any study necessary to evaluate any program or project
10 related to bow or muzzle loader hunting; and

11 (2) The remaining percentage to:

12 (i) Establish an effective and efficient deer checking system during
13 the muzzle loader and bow hunting deer season;

14 (ii) Acquire additional hunter access during the muzzle loader and
15 bow hunting season by:

16 1. The opening of additional State–owned lands to muzzle
17 loader and bow hunting;

18 2. The purchase of rights–of–way or access roads to reach
19 areas not open to muzzle loader and bow hunting;

20 3. The acquisition of additional lands for muzzle loader and
21 bow hunting; and

22 4. The administration of a permit system applicable to newly
23 opened areas; and

24 (iii) Police hunting lands during the muzzle loader and bow hunting
25 season and provide additional law enforcement personnel as necessary to accomplish
26 additional hunter access under item (ii) of this item.

27 (b) The Department shall use \$1 from the sale of each resident regular and full
28 season nonresident hunting license to provide funding for the processing of deer for
29 donation to the needy.]

30 10–415.

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 police**
5 **officer shall authorize the person to report with the deer to a designated checking station**
6 **in another county.]**

7 **(B) A PERSON WHO HARVESTS A GAME BIRD OR MAMMAL SHALL REPORT**
8 **THE HARVEST IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE**
9 **DEPARTMENT.**

10 **(e) A person may not remove the head or hide or any part from any deer, except**
11 **internal organs, or cut the meat into parts until the [deer has been checked by the**
12 **Department or 1 of the Department's agents at a designated checking station] PERSON**
13 **HAS OBTAINED A CONFIRMATION NUMBER FOR THAT DEER FROM THE**
14 **DEPARTMENT. Removal of the head or the hide of any deer [not checked at a designated**
15 **checking station] BEFORE OBTAINING A CONFIRMATION NUMBER FOR THAT DEER**
16 **shall be prima facie evidence that the deer was hunted illegally. Each separate deer [or**
17 **part of any deer] taken illegally or found in possession shall be considered a separate**
18 **offense.**

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

26 **(F) A PERSON WHO POSSESSES A GAME BIRD OR MAMMAL KILLED BY MEANS**
27 **OTHER THAN HUNTING SHALL REPORT THE POSSESSION IN ACCORDANCE WITH**
28 **REGULATIONS ADOPTED BY THE DEPARTMENT.**

29 10-418.

30 **(a) This section does not apply to any person who:**

31 **(1) [Hunts any wildlife on the person's property with or without a hunter's**
32 **license;**

33 **(2)] Hunts deer with a bow and arrow during the season restricted to**
34 **hunting with a bow and arrow;**

1 ~~[(3)]~~ **(2)** Hunts game birds or mammals during the open season using
2 falcons, hawks, or owls; or

3 ~~[(4)]~~ **(3)** Hunts or accompanies, aids, or assists another person hunting
4 the following species:

5 (i) Wetland game birds;

6 (ii) Fur-bearing mammals;

7 (iii) Crows;

8 (iv) Doves; or

9 (v) Wild turkeys.

10 (b) Except as provided in subsection (a) of this section, a person who hunts any
11 wildlife and a person who accompanies, aids, or assists another person in a field, wooded
12 area, marsh, or on the water to hunt any wildlife shall wear:

13 (1) A cap of a solid daylight fluorescent orange color;

14 (2) A vest, jacket, or jacket containing back and front panels of at least 250
15 square inches of a solid daylight fluorescent orange color; or

16 (3) An outer garment of camouflage fluorescent orange worn above the
17 waist which contains at least 50 percent daylight fluorescent orange color.

18 [10-503.

19 A nonresident of the State may not hunt or trap or attempt to hunt or trap any beaver
20 or otter in the State.]

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.