

(PRE-FILED)

By: Senator Hafer

Requested: November 15, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 6, 1997

CHAPTER ____

1 AN ACT concerning

2 Hunter Safety Instructors - Complimentary Consolidated Hunting License

3 FOR the purpose of requiring the Department of Natural Resources or the Department's
 4 designee to give a certain complimentary hunting license to certain individuals who
 5 ~~are authorized to give certain hunter safety instruction, have completed a certain~~
 6 ~~number of years of service as a hunter safety instructor, and have maintained active~~
 7 ~~certification as a hunter safety instructor.~~ meet certain requirements relating to
 8 providing hunter safety instruction and who indicate an interest in receiving a
 9 complimentary license.

10 BY repealing and reenacting, with amendments,

11 Article - Natural Resources

12 Section 10-301.1

13 Annotated Code of Maryland

14 (1990 Replacement Volume and 1996 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Natural Resources**

18 10-301.1.

19 (a) (1) (i) On or after July 1, 1977 a person under 18 years of age may not
 20 procure a hunting license or hunt in the State, unless the person has first been issued a
 21 certificate of competency in firearms and hunter safety.

22 (ii) On or after July 1, 1977 a person, regardless of age, may not
 23 procure a hunting license without producing a certificate of competency or a hunting

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1 license issued prior to July 1, 1977 or making out an affidavit that the person had such a
2 license.

3 (2) This section does not apply to nonresidents of Maryland who purchase a
4 hunting license in the State to hunt wild waterfowl. However, this does apply to
5 nonresidents of Maryland who purchase hunting licenses in the State to hunt other
6 wildlife.

7 (b) (1) The Department shall prescribe a course of instruction in conservation
8 and in competency and safety in the handling of firearms.

9 (2) The Department shall designate those persons or agencies authorized to
10 give the course of instruction, and this designation shall be valid until revoked by the
11 Department. Those designated persons shall submit to the Department validated listings
12 naming all persons who have successfully completed the course of instruction.

13 (3) The Department shall issue a certificate of competency and safety to
14 each person who successfully completes the course of instruction, and the certificate shall
15 be valid until revoked by the Department.

16 (4) The Department may not issue a certificate of competency and safety to
17 an individual under the age of 18 unless the individual has completed satisfactorily the
18 course of instruction, or produces a certificate of competency or a hunting license issued
19 prior to July 1, 1978 or makes out an affidavit that the individual had such a license.

20 (c) (1) The Department shall institute and coordinate a statewide course of
21 instruction in conservation and in competency and safety in the handling of firearms, and
22 in so doing, the Department may cooperate with any political subdivision or with any
23 reputable organization having as 1 of its objectives the promotion of competency and
24 safety in the handling of firearms, such as the National Rifle Association and local rod
25 and gun clubs.

26 (2) The Department may conduct the course in hunter safety and issue the
27 certificates, using Department personnel or other persons at times and in areas where
28 other competent agencies are unable or unwilling to meet the demand for instruction.

29 (3) Any similar certificate, or hunting license, issued outside the State by a
30 governmental agency, shall be accepted as complying with the requirements of paragraph
31 (1) of the subsection, if the privileges are reciprocal for Maryland residents.

32 (d) The Department shall adopt regulations to provide for the course of
33 instruction and the issuance of the certificates consistent with the purpose of this section.

34 (e) (1) On or after July 1, 1977 any person who obtains a hunting license by
35 presenting a fictitious certificate of competency or who attempts to obtain a certificate of
36 competency or hunting license through fraud shall have his hunting privileges revoked by
37 the Department for a period not to exceed 1 year.

38 (2) Any applicant who is refused a certificate of competency under this
39 section may appeal the decision or action of the issuing unit to the Secretary.

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1 (f) (1) The Department or a person designated by the Department may issue a
2 1-year gratis hunting license to a Maryland resident under the age of 16 years who has
3 successfully completed a hunter safety course.

4 (2) An individual may be issued only one such license during the individual's
5 lifetime.

6 (G) THE DEPARTMENT OR A PERSON DESIGNATED BY THE DEPARTMENT
7 SHALL ISSUE A COMPLIMENTARY CONSOLIDATED HUNTING LICENSE EACH YEAR
8 TO AN INDIVIDUAL WHO:

9 (1) HAS BEEN AUTHORIZED BY THE DEPARTMENT TO GIVE THE
10 COURSE OF INSTRUCTION IN CONSERVATION AND IN COMPETENCY AND SAFETY IN
11 THE HANDLING OF FIREARMS UNDER SUBSECTION (B) OF THIS SECTION;

12 (2) HAS COMPLETED AT LEAST 5 YEARS OF SERVICE AS AN INSTRUCTOR
13 OF THIS COURSE; ~~AND~~

14 (3) MAINTAINS ACTIVE CERTIFICATION AS AN INSTRUCTOR OF THIS
15 COURSE;

16 (4) HAS TAUGHT TWO HUNTER SAFETY COURSES DURING THE FISCAL
17 YEAR PRECEDING THE ISSUANCE OF THE LICENSE; AND

18 (5) HAS INDICATED TO THE DEPARTMENT AN INTEREST IN RECEIVING
19 A COMPLIMENTARY CONSOLIDATED HUNTING LICENSE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 1997.