

SENATE BILL 210

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SB 62/97 - EEA

1998 Regular Session
8r0982

By: **Senator Hafer**

Introduced and read first time: January 29, 1998

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

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
4 Department's designee to give a certain complimentary hunting license to
5 certain individuals who meet certain requirements relating to providing hunter
6 safety instruction and who indicate an interest in receiving a complimentary
7 license.

8 BY repealing and reenacting, with amendments,
9 Article - Natural Resources
10 Section 10-301.1
11 Annotated Code of Maryland
12 (1990 Replacement Volume and 1997 Supplement)

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

15 **Article - Natural Resources**

16 10-301.1.

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

20 (ii) On or after July 1, 1977 a person, regardless of age, may not
21 procure a hunting license without producing a certificate of competency or a hunting
22 license issued prior to July 1, 1977 or making out an affidavit that the person had
23 such a license.

24 (2) This section does not apply to nonresidents of Maryland who
25 purchase a hunting license in the State to hunt wild waterfowl. However, this does
26 apply to nonresidents of Maryland who purchase hunting licenses in the State to hunt
27 other wildlife.

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

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

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

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

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

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

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

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

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

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

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

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

3 (G) THE DEPARTMENT OR A PERSON DESIGNATED BY THE DEPARTMENT
4 SHALL ISSUE A COMPLIMENTARY CONSOLIDATED HUNTING LICENSE EACH YEAR TO
5 AN INDIVIDUAL WHO:

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

9 (2) HAS COMPLETED AT LEAST 5 YEARS OF SERVICE AS AN INSTRUCTOR
10 OF THIS COURSE;

11 (3) MAINTAINS ACTIVE CERTIFICATION AS AN INSTRUCTOR OF THIS
12 COURSE;

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

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1998.