

SENATE BILL 635

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1998 Regular Session
8lr2511
CF 8lr2202

By: **Senator Hafer**

Introduced and read first time: February 6, 1998

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Dog Training - Nonresidents - Restrictions**

3 FOR the purpose of prohibiting nonresidents from training dogs in this State except
4 during certain times; altering the requirements relating to running or training
5 dogs to include certain persons; altering the requirement that an attendant may
6 carry only certain firearms and may not permit a dog to kill any game birds
7 except during certain times to include certain persons; and generally relating to
8 dog training.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 10-413
12 Annotated Code of Maryland
13 (1990 Replacement Volume and 1997 Supplement)

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

16 **Article - Natural Resources**

17 10-413.

18 (a) [An] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN
19 owner of a dog may run or train the owner's dog on woodcock, pheasants, or any
20 imported species, ruffed grouse, rabbit, hare, and quail at any time of year if THE
21 OWNER OR an attendant accompanies the dog. [An] THE OWNER OR AN attendant of
22 the dog may not carry firearms of any description, except a handgun, or permit the
23 dog, while being trained, to kill any game birds or mammals except during the open
24 season for the game. Each attendant shall possess a valid hunting license while
25 training any dog.

26 (B) A NONRESIDENT MAY ONLY TRAIN DOGS IN THIS STATE DURING THE
27 LEGAL SMALL GAME HUNTING SEASON, AS ESTABLISHED BY THE DEPARTMENT
28 UNDER § 10-205 OF THIS TITLE, OR ANY OTHER DAYS THAT THE NONRESIDENT'S
29 STATE ALLOWS MARYLAND RESIDENTS TO TRAIN THEIR DOGS.

1 [(b)] (C) A person may not willfully allow any dog belonging to the person to
2 destroy the eggs or nest of any game bird or mammal. Any person harboring a dog
3 shall be deemed its lawful owner.

4 [(c)] (D) Any Natural Resources police officer or any law enforcement officer
5 may kill any dog, which does not bear a license, found destroying game birds or
6 mammals or the nest or eggs of any game bird or mammal.

7 [(d)] (E) A Natural Resources police officer or any law enforcement officer
8 shall and any other person may destroy any cat found hunting any game bird or
9 mammal or protected bird or mammal. A cause of action for damages cannot be
10 maintained for this act.

11 [(e)] (F) (1) The owner or custodian of a retriever dog shall obtain a permit
12 from the Department before the owner or custodian may shoot artificially reared
13 game birds for the purpose of training the dog. The permit is not required in order to
14 shoot game birds during an open season or on a licensed shooting preserve.

15 (2) Only the trainer of a retriever dog and not an assistant to the trainer
16 is required to obtain a permit under this subsection.

17 (3) On payment of the \$5 permit fee, the Department shall issue
18 annually a permit to the owner or custodian of a retriever dog to train the dog at any
19 time of the year.

20 (4) A permittee under this subsection may, while training a retriever dog,
21 possess and shoot with a shotgun any artificially reared game bird that has been
22 liberated by hand and tagged before its use with an identification band provided by
23 the Department.

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