

HOUSE BILL 906

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1999 Regular Session
9r0812
CF 9r2010

By: **Delegates Weir, Guns, McKee, Boutin, Redmer, Eckardt, and Klausmeier**
Introduced and read first time: February 12, 1999
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Sunday Hunting - Forest Game Birds and Mammals**

3 FOR the purpose of repealing a certain restriction on hunting forest game birds and
4 mammals on Sundays; providing for the establishment of certain seasons;
5 requiring the Department of Natural Resources to determine if Sunday hunting
6 would be inconsistent with prior use before allowing Sunday hunting of forest
7 game birds and mammals on public land; prohibiting the Department from
8 allowing Sunday hunting of forest game birds and mammals if inconsistent with
9 prior use; requiring the Department to study and to make certain
10 recommendations to certain committees before a certain date each year;
11 requiring a certain study to include certain information; providing for the
12 termination of certain provisions of this Act; and generally relating to hunting
13 forest game birds and mammals on Sundays.

14 BY repealing and reenacting, with amendments,
15 Article - Natural Resources
16 Section 10-405(a) and 10-410(a)
17 Annotated Code of Maryland
18 (1990 Replacement Volume and 1998 Supplement)

19 BY adding to
20 Article - Natural Resources
21 Section 10-410.1 and 10-410.2
22 Annotated Code of Maryland
23 (1990 Replacement Volume and 1998 Supplement)

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

1 **Article - Natural Resources**

2 10-405.

3 (a) Pursuant to § 10-205 of this title, the Department shall establish by
4 regulation and publish by July 1 each year:5 (1) [the] THE open season[, excepting Sundays,] to hunt the forest [and
6 upland] game birds and mammals; AND7 (2) THE OPEN SEASON, EXCEPTING SUNDAYS, TO HUNT UPLAND GAME
8 BIRDS AND MAMMALS.

9 10-410.

10 (a) (1) Except as provided in paragraph (2) of this subsection, a person may
11 not hunt any game bird or mammal on Sundays.12 (2) The following persons may hunt the specified game birds and
13 mammals on Sundays:14 (i) A person using State certified raptors to hunt game birds or
15 mammals during open season;16 (ii) An unarmed person participating in an organized fox chase to
17 chase foxes; [and]18 (iii) Provided that the provisions of § 10-906(b)(3) of this title are
19 met, a person:20 1. Using a regulated shooting ground under § 10-906 of this
21 title to hunt the following pen-reared game birds:

22 A. Pheasants;

23 B. Bobwhite quail;

24 C. Chukar partridge;

25 D. Hungarian partridge;

26 E. Tower released flighted mallard ducks; and

27 F. Turkey on a regulated shooting ground that was permitted
28 to release turkey before September 1, 1992; and29 2. Having the written permission of the owner of the land or
30 other person designated by the owner of the land, if the land is owned or leased by a
31 person other than the person hunting on Sundays; AND

1 (IV) A PERSON HUNTING FOREST GAME BIRDS AND MAMMALS
2 DURING OPEN SEASON.

3 10-410.1.

4 PRIOR TO ALLOWING SUNDAY HUNTING OF FOREST GAME BIRDS AND
5 MAMMALS ON PUBLIC LAND, THE DEPARTMENT SHALL DETERMINE WHETHER
6 SUNDAY HUNTING WOULD BE INCONSISTENT WITH PRIOR USE OF THE LAND.

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

9 **Article - Natural Resources**

10 10-410.2.

11 (A) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL
12 STUDY AND MAKE RECOMMENDATIONS TO THE LEGISLATIVE POLICY COMMITTEE,
13 THE SENATE ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE
14 HOUSE ENVIRONMENTAL MATTERS COMMITTEE ON THE IMPLEMENTATION OF
15 SUNDAY HUNTING OF FOREST GAME BIRDS AND MAMMALS, INCLUDING LAW
16 ENFORCEMENT ISSUES AND CITIZENS' COMPLAINTS.

17 (B) THE STUDY SHALL INCLUDE A COMPREHENSIVE ASSESSMENT OF:

18 (1) HARVEST PRESSURE ON THE DEER POPULATION IN THE STATE AS A
19 RESULT OF DEER MANAGEMENT PRACTICES BY A GEOGRAPHIC REGION; AND

20 (2) THE DEER POPULATION IN THE STATE AS A RESULT OF NATURAL
21 PREDATORS.

22 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
23 remain effective for a period of 5 years and, at the end of June 30, 2004, with no
24 further action required by the General Assembly, Section 2 of this Act shall be
25 abrogated and of no further force and effect.

26 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 1999.