

HOUSE BILL 906

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M2

1999 Regular Session
9lr0812
CF 9lr2010

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 27, 1999

CHAPTER _____

1 AN ACT concerning

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

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; allowing a person to hunt deer on certain Sundays under certain~~
10 circumstances; requiring the Department to study and to make certain
11 recommendations to certain committees before a certain date each year;
12 requiring a certain study to include certain information; providing for the
13 termination of certain provisions of this Act; and generally relating to hunting
14 ~~forest game birds and mammals~~ deer on Sundays.

15 BY repealing and reenacting, with amendments,
16 Article - Natural Resources
17 Section ~~10-405(a)~~ and 10-410(a)
18 Annotated Code of Maryland
19 (1990 Replacement Volume and 1998 Supplement)

20 BY adding to
21 Article - Natural Resources
22 Section 10-410.1 ~~and 10-410.2~~
23 Annotated Code of Maryland
24 (1990 Replacement Volume and 1998 Supplement)

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

3 **Article - Natural Resources**

4 ~~10-405.~~

5 ~~(a) Pursuant to § 10-205 of this title, the Department shall establish by~~
6 ~~regulation and publish by July 1 each year.~~

7 ~~(1) [the] THE open season[, excepting Sundays,] to hunt the forest [and~~
8 ~~upland] game birds and mammals; AND~~

9 ~~(2) THE OPEN SEASON, EXCEPTING SUNDAYS, TO HUNT UPLAND GAME~~
10 ~~BIRDS AND MAMMALS.~~

11 10-410.

12 (a) (1) Except as provided in paragraph (2) of this subsection, a person may
13 not hunt any game bird or mammal on Sundays.

14 (2) The following persons may hunt the specified game birds and
15 mammals on Sundays:

16 (i) A person using State certified raptors to hunt game birds or
17 mammals during open season;

18 (ii) An unarmed person participating in an organized fox chase to
19 chase foxes; [and]

20 (iii) Provided that the provisions of § 10-906(b)(3) of this title are
21 met, a person:

22 1. Using a regulated shooting ground under § 10-906 of this
23 title to hunt the following pen-reared game birds:

24 A. Pheasants;

25 B. Bobwhite quail;

26 C. Chukar partridge;

27 D. Hungarian partridge;

28 E. Tower released flighted mallard ducks; and

29 F. Turkey on a regulated shooting ground that was permitted
30 to release turkey before September 1, 1992; and

1 2. Having the written permission of the owner of the land or
2 other person designated by the owner of the land, if the land is owned or leased by a
3 person other than the person hunting on Sundays; AND

4 (IV) ~~A PERSON HUNTING FOREST GAME BIRDS AND MAMMALS~~
5 ~~DURING OPEN SEASON PROVIDED THAT THE PROVISIONS OF § 10-415 OF THIS~~
6 ~~SUBTITLE ARE MET, ON PRIVATE PROPERTY, A PERSON:~~

7 1. HUNTING DEER ON SUNDAYS DURING NOVEMBER AND
8 DECEMBER WITH BOW AND ARROW ONLY; AND

9 2. CARRYING THE WRITTEN PERMISSION OF THE OWNER OF
10 THE LAND OR OTHER PERSON DESIGNATED BY THE OWNER OF THE LAND, IF THE
11 LAND IS OWNED OR LEASED BY A PERSON OTHER THAN THE PERSON HUNTING ON
12 SUNDAYS.

13 ~~10-410.1.~~

14 ~~PRIOR TO ALLOWING SUNDAY HUNTING OF FOREST GAME BIRDS AND~~
15 ~~MAMMALS ON PUBLIC LAND, THE DEPARTMENT SHALL DETERMINE WHETHER~~
16 ~~SUNDAY HUNTING WOULD BE INCONSISTENT WITH PRIOR USE OF THE LAND.~~

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

19 **Article - Natural Resources**

20 ~~10-410.2.~~ 10-410.1.

21 (A) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL
22 STUDY AND MAKE RECOMMENDATIONS TO THE LEGISLATIVE POLICY COMMITTEE,
23 THE SENATE ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE
24 HOUSE ENVIRONMENTAL MATTERS COMMITTEE ON THE IMPLEMENTATION OF
25 SUNDAY HUNTING OF ~~FOREST GAME BIRDS AND MAMMALS~~ DEER, INCLUDING LAW
26 ENFORCEMENT ISSUES AND CITIZENS' COMPLAINTS.

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

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

30 (2) THE DEER POPULATION IN THE STATE AS A RESULT OF NATURAL
31 PREDATORS.

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

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