
By: **Senator Garagiola**

Introduced and read first time: February 10, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Deer Hunting on Private Lands - Sundays**

3 FOR the purpose of removing Montgomery County from the list of counties in which
4 deer hunting on private lands on certain Sundays is prohibited; requiring the
5 Department of Natural Resources to conduct certain studies and submit certain
6 reports to certain legislative committees and delegations on or before certain
7 dates; providing for the termination of this Act; and generally relating to deer
8 hunting on private lands on Sundays.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 10-410(a)
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2005 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 10-410.

18 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, a
19 person may not hunt any game bird or mammal on Sundays.

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

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

24 (ii) An unarmed person participating in an organized fox chase to
25 chase foxes;

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

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

3 A. Pheasants;

4 B. Bobwhite quail;

5 C. Chukar partridge;

6 D. Hungarian partridge;

7 E. Tower released flighted mallard ducks; and

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

10 2. Having the written permission of the owner of the land or
11 other person designated by the owner of the land, if the land is owned or leased by a
12 person other than the person hunting on Sundays; and

13 (iv) Subject to the provisions of § 10-411 of this subtitle, in
14 Dorchester County, a person hunting deer on private property with a bow and arrow
15 during open season on the last three Sundays in October and the second Sunday in
16 November.

17 (3) Provided that the provisions of § 10-415 of this title are met and
18 subject to paragraph (4) of this subsection, the Department may allow a person to
19 hunt deer on private property on the first Sunday of:

20 (i) The bow hunting season in November; and

21 (ii) The deer firearms season.

22 (4) The Sunday deer hunting provisions under paragraph (3) of this
23 subsection do not apply:

24 (i) In Anne Arundel, Baltimore, Carroll, Frederick, Harford,
25 Howard, [Montgomery,] Prince George's, Somerset, Wicomico, and Worcester
26 counties; and

27 (ii) In Baltimore City.

28 SECTION 2. AND BE IT FURTHER ENACTED, That, on or after September
29 30, 2007, the Department of Natural Resources shall conduct a study by December 31,
30 2007, on the effectiveness of Sunday hunting as a means of reducing the deer
31 population, and reducing the threat to public health and safety caused by the
32 overpopulation of deer in Montgomery County. In accordance with § 2-1246 of the
33 State Government Article, the Department of Natural Resources shall report the
34 findings of the study to the House Environmental Matters Committee, the Senate
35 Education, Health, and Environmental Affairs Committee, and the Montgomery
36 County House and Senate Delegations on or before December 31, 2007.

1 SECTION 3. AND BE IT FURTHER ENACTED, That, on or after September
2 30, 2008, the Department of Natural Resources shall compile a final report on the
3 effectiveness of Sunday hunting as a means of reducing the deer population in
4 Montgomery County by December 31, 2008. The final report shall incorporate and
5 compare the results and findings of the 2007 study required under Section 2 of this
6 Act, with any results and findings of Sunday deer hunting in Montgomery County
7 that occurs in 2008, noting any differences between the two years. The final report
8 shall also include any additional recommendations to improve the effectiveness of
9 reducing the deer population and of reducing the threat to public health and safety
10 caused by the overpopulation of deer in Montgomery County. In accordance with §
11 2-1246 of the State Government Article, the Department of Natural Resources shall
12 submit the report to the House Environmental Matters Committee, the Senate
13 Education, Health, and Environmental Affairs Committee, and the Montgomery
14 County House and Senate Delegations on or before December 31, 2008.

15 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2006. It shall remain effective for a period of 2 years and 3 months and, at
17 the end of December 31, 2008, with no further action required by the General
18 Assembly, this Act shall be abrogated and of no further force and effect.