

SENATE BILL 68

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By: **Senator Conway**

Introduced and read first time: January 23, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County and St. Mary's County – Deer Hunting – Repeal**

3 FOR the purpose of repealing the requirement that the Department of Natural Resources
4 establish a program in certain counties to train rifle shooters to hunt deer for the
5 purpose of controlling the deer population; repealing the requirement that the
6 Department give certain applicants priority to participate in the program; repealing
7 provisions of law that authorize the Department to terminate the program under
8 certain circumstances; repealing a certain reporting requirement; repealing a
9 requirement that the Department adopt certain regulations; repealing provisions of
10 law that authorize a person to hunt deer with a certain shotgun in certain counties
11 during certain months; repealing provisions of law that authorize an individual who
12 holds a certain permit in certain counties to hunt with a certain shotgun during deer
13 season in certain locations; repealing a prohibition on the Department from
14 requiring a certain permit holder to renew a certain permit more frequently than at
15 a certain interval; repealing a prohibition on the Department from authorizing an
16 individual in certain counties to hunt deer on Sundays under a certain permit;
17 repealing provisions of law that authorize the Department to terminate a certain
18 deer season under certain circumstances; repealing provisions of law that authorize
19 the Department to restrict the lands on which a person may hunt deer under certain
20 circumstances; repealing a certain termination provision; making stylistic changes;
21 and generally relating to deer hunting in Charles County and St. Mary's County.

22 BY repealing

23 Article – Natural Resources

24 Section 10–408.2

25 Annotated Code of Maryland

26 (2012 Replacement Volume and 2014 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article – Natural Resources

29 Section 10–415

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2012 Replacement Volume and 2014 Supplement)

3 BY repealing and reenacting, with amendments,
4 Chapter 574 of the Acts of the General Assembly of 2014
5 Section 2

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

8 **Article – Natural Resources**

9 [10–408.2.

10 (a) The Department shall establish a program in Charles County and St. Mary’s
11 County to train rifle shooters to hunt deer for the purpose of controlling the deer population
12 in Charles County and St. Mary’s County.

13 (b) When selecting applicants for participation in the program under subsection
14 (a) of this section, the Department shall give priority to an applicant who holds a Deer
15 Management Permit issued by the Department.

16 (c) The Department may terminate the program to protect public safety and
17 welfare.

18 (d) On or before December 1, 2016, the Department shall report to the General
19 Assembly, in accordance with § 2–1246 of the State Government Article, on the
20 implementation of the program.

21 (e) The Department shall adopt regulations to implement this section, including
22 a system for staggering participation in the program.]

23 10–415.

24 (a) [(1)] There are the following 3 seasons to hunt deer:

25 [(i)] (1) Deer bow hunting season;

26 [(ii)] (2) Deer firearms season; and

27 [(iii)] (3) Deer muzzle loader season.

28 [(2)] Notwithstanding any other provision of law, a person may hunt deer
29 with a shotgun approved by the Department from January through March in Charles
30 County and St. Mary’s County.]

1 (b) (1) Every person killing a deer shall report with the deer to a designated
2 checking station within 24 hours after killing the deer.

3 (2) Notwithstanding any requirement of law, if the designated checking
4 stations are closed in the county where a person kills a deer, a Natural Resources police
5 officer shall authorize the person to report with the deer to a designated checking station
6 in another county.

7 (c) (1) A person with a hunting license also may purchase bonus deer stamps
8 from the Department.

9 (2) A bonus deer stamp allows a person with the hunting license to hunt 1
10 deer for each stamp purchased in any of the following hunting seasons for deer in the State:

11 (i) Deer bow hunting season;

12 (ii) Deer muzzle loader season; and

13 (iii) Deer firearms season.

14 (3) An individual who purchases a bonus antlered deer stamp but does not
15 use it during a particular season may use that stamp during any subsequent season in that
16 hunting license year.

17 (4) The fee for each bonus antlered deer stamp issued in accordance with
18 this subsection shall be \$10.00 for residents and \$25.00 for nonresidents.

19 (5) The Department may establish by regulation the type and number of
20 deer stamps issued under this subsection if necessary to control the deer harvest in various
21 areas of the State.

22 [(d) (1) In this subsection, "Deer Management Permit" means a permit issued
23 by the Department authorizing the holder to hunt deer outside of deer hunting season for
24 the purpose of preventing damage to crops.

25 (2) In Charles County and St. Mary's County, an individual who holds a
26 Deer Management Permit may:

27 (i) Use a shotgun approved by the Department to hunt deer
28 throughout deer season in the locations and under the conditions set forth in the permit;
29 and

30 (ii) Hunt deer on State agricultural crop land located in Charles
31 County and St. Mary's County to the same extent as the person is authorized under the
32 Deer Management Permit to hunt on private land in Charles County and St. Mary's
33 County.

1 (3) The Department may not require an individual who holds a Deer
2 Management Permit in Charles County or St. Mary's County to apply for renewal more
3 than once every 3 years.

4 (4) The Department may not authorize an individual in Charles County or
5 St. Mary's County to hunt deer on Sundays under a Deer Management Permit.

6 (5) To protect public safety and welfare, the Department may:

7 (i) Terminate the deer hunting season established under subsection
8 (a)(2) of this section; and

9 (ii) Restrict the lands on which an individual may hunt deer.]

10 [(e) (D) A person may not remove the head or hide or any part from any deer,
11 except internal organs, or cut the meat into parts until the deer has been checked by the
12 Department or 1 of the Department's agents at a designated checking station. Removal of
13 the head or the hide of any deer not checked at a designated checking station shall be prima
14 facie evidence that the deer was hunted illegally. Each separate deer or part of any deer
15 taken illegally or found in possession shall be considered a separate offense.

16 [(f) (E) Any person who, while operating a motor vehicle on any highway in the
17 State, accidentally strikes and kills a deer on the highway may have the deer if the person
18 produces visible evidence of collision with the deer to any Natural Resources police officer,
19 State law enforcement officer, or other designated representative of the Secretary. The
20 provisions of this subsection shall be applicable to deer killed by collision with a motor
21 vehicle at any time whether during the open season for killing deer or during the legally
22 closed season.

23 [(g) (F) A person may not hunt a deer while the deer is taking refuge in or
24 swimming through the waters of the State.

25 [(h) Abrogated.

26 [(i) (G) Upon written request from a federal facility for a variance from the
27 established deer hunting season, the Department shall review the request and may:

28 (1) Approve the request;

29 (2) Deny the request; or

30 (3) Approve the request with conditions.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2014. [It shall remain effective for a period of 3 years and, at the end of June 30, 2017,
3 with no further action required by the General Assembly, this Act shall be abrogated and
4 of no further force and effect.]

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2015.