

SENATE BILL 68

M2

EMERGENCY BILL

5lr1123

By: ~~Senator Conway~~ Senators Conway and Waugh

Introduced and read first time: January 23, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2015

CHAPTER _____

1 AN ACT concerning

2 **Charles County and St. Mary's County – Deer ~~Hunting~~ Repeal Management**
3 **Permit**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~circumstances~~; repealing a certain termination provision; making this Act an
2 emergency measure; making stylistic changes; and generally relating to deer
3 hunting in Charles County and St. Mary's County.

4 BY repealing

5 Article – Natural Resources

6 Section 10–408.2

7 Annotated Code of Maryland

8 (2012 Replacement Volume and 2014 Supplement)

9 BY repealing and reenacting, with amendments,

10 Article – Natural Resources

11 Section 10–415

12 Annotated Code of Maryland

13 (2012 Replacement Volume and 2014 Supplement)

14 BY repealing and reenacting, with amendments,

15 Chapter 574 of the Acts of the General Assembly of 2014

16 Section 2

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Natural Resources**

20 [10–408.2.

21 (a) The Department shall establish a program in Charles County and St. Mary's
22 County to train rifle shooters to hunt deer for the purpose of controlling the deer population
23 in Charles County and St. Mary's County.

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

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

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

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

34 10–415.

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

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

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

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

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

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

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

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

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

18 (i) Deer bow hunting season;

19 (ii) Deer muzzle loader season; and

20 (iii) Deer firearms season.

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

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

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

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

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

3 (i) Use a shotgun **OR BREECH LOADING CENTER FIRED RIFLE**
4 approved by the Department to hunt deer throughout deer season in the locations and
5 under the conditions set forth in the permit; and

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

10 (3) ~~The Department may not require an individual who holds a Deer~~
11 ~~Management Permit in Charles County or St. Mary's County to apply for renewal more~~
12 ~~than once every 3 years. **A DEER MANAGEMENT PERMIT SHALL BE VALID FOR THE**~~
13 ~~**PERIOD AUGUST 1 THROUGH JULY 31, OF EACH YEAR.**~~

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

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

17 ~~(i) Terminate the deer hunting season established under subsection~~
18 ~~(a)(2) of this section; and~~

19 ~~(ii) Restrict **RESTRICT** the lands on which an individual may hunt~~
20 ~~deer **UNDER A DEER MANAGEMENT PERMIT.**~~

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

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

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

1 [(h) Abrogated.

2 (i)] ~~(G)~~ **(H)** Upon written request from a federal facility for a variance from the
3 established deer hunting season, the Department shall review the request and may:

4 (1) Approve the request;

5 (2) Deny the request; or

6 (3) Approve the request with conditions.

7 **Chapter 574 of the Acts of 2014**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2014. [It shall remain effective for a period of 3 years and, at the end of June 30, 2017,
10 with no further action required by the General Assembly, this Act shall be abrogated and
11 of no further force and effect.]

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect July~~
13 1, 2015 is an emergency measure, is necessary for the immediate preservation of the public
14 health or safety, has been passed by a ye and nay vote supported by three-fifths of all the
15 members elected to each of the two Houses of the General Assembly, and shall take effect
16 from the date it is enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.