M20 lr 3728CF HB 1296

By: Senator Eckardt

Introduced and read first time: February 12, 2020

Assigned to: Rules

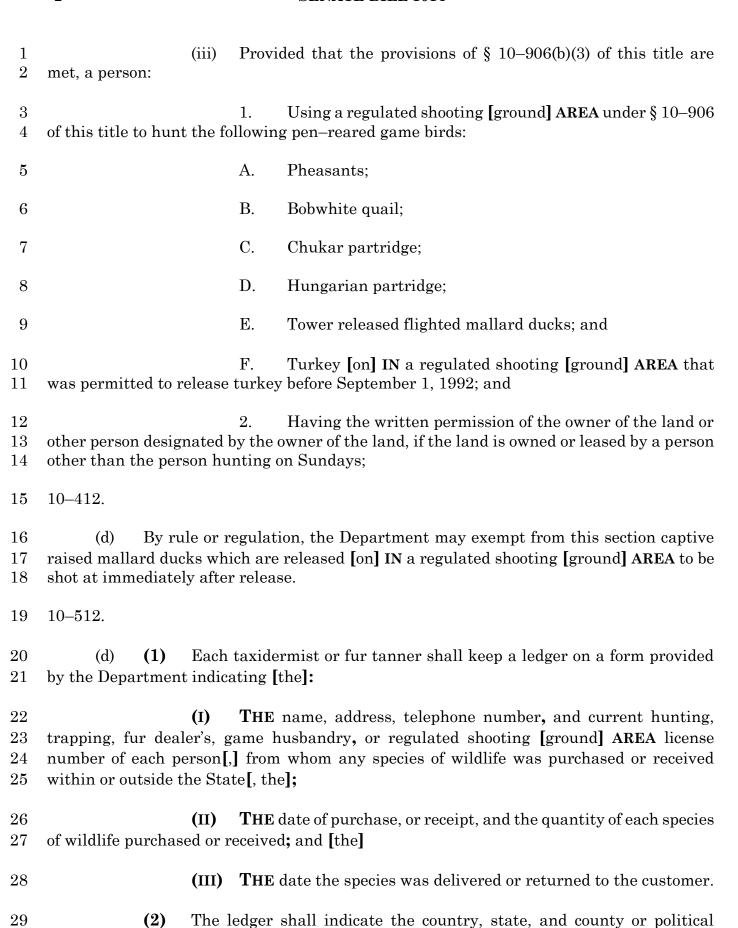
A BILL ENTITLED

1	AN ACT concerning
2 3	Hunting – Regulated Shooting Areas – Offshore Stationary Blinds and Blind Sites
4 5 6 7 8 9	FOR the purpose of authorizing the inclusion of a certain licensed offshore stationary blind or blind site in a regulated shooting area; authorizing a person to hunt certain captive raised birds from a certain licensed offshore stationary blind or blind site subject to certain conditions; updating certain terminology; making technical and conforming changes; and generally relating to regulated shooting areas and offshore stationary blinds and blind sites.
10 11 12 13 14	BY repealing and reenacting, with amendments, Article – Natural Resources Section 10–410(a)(2)(iii), 10–412(d), 10–512(d), and 10–906 Annotated Code of Maryland (2012 Replacement Volume and 2019 Supplement)
15 16 17 18 19	BY adding to Article – Natural Resources Section 10–616 Annotated Code of Maryland (2012 Replacement Volume and 2019 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND
21	That the Laws of Maryland read as follows:
22	Article - Natural Resources
23	10–410.
24 25	(a) (2) The following persons may hunt the specified game birds and mammals on Sundays:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





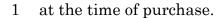
- subdivision in which the species was taken and the date on which the species was taken and identify any appropriate official game possession tag number or bill of sale.
- 3 (3) The tag or bill of sale shall be attached to the wildlife.
- 4 **(4)** The licensee also shall include in the ledger the same information with 5 regard to any wildlife taken from the wild by the licensee.
- 6 **(5)** The ledger shall cover every transaction from date of issuance of the taxidermist or fur tanner's license until date of expiration and shall be kept up-to-date.
- 8 **(6)** In addition to any other penalty provided by this subtitle, any person convicted of failing to maintain or keep up—to—date a ledger required by this subsection or of making false entries may have the person's license revoked for a period not to exceed 5 years.
- 12 **10–616.**
- A PERSON MAY HUNT CAPTIVE RAISED MALLARD DUCKS FROM A LICENSED
 OFFSHORE STATIONARY BLIND OR BLIND SITE THAT IS INCLUDED IN A REGULATED
 SHOOTING AREA, SUBJECT TO CONDITIONS SET FORTH IN THE APPLICABLE
 REGULATED SHOOTING AREA PERMIT.
- 17 10-906.
- 18 (a) Any person desiring to establish and operate a regulated shooting [ground] 19 AREA shall first obtain a permit from the Department.
- 20 (b) (1) The Department may issue a regulated shooting [ground] AREA permit 21 on payment of a reasonable fee and after determining that the establishment and operation 22 of [it] THE REGULATED SHOOTING AREA does not conflict with any reasonable prior 23 public interest.
- 24 (2) The Department may not issue a new permit for a regulated shooting 25 [ground] AREA to an existing permit holder unless the report required under subsection 26 (c)(2) of this section has been filed.
- 27 (3) (i) As part of the application for a regulated shooting [ground] 28 AREA permit, a person may apply to the Department for authorization to allow hunting on 29 Sunday as provided under § 10–410(a)(2)(iii) of this title.
- 30 (ii) The Department shall ensure that all requirements and 31 conditions of applicable law and regulations are met and that issuance of the authorization 32 will not have an adverse impact on the conservation of native game species or to the public 33 interest.

- 1 (4) A REGULATED SHOOTING AREA MAY INCLUDE AN OFFSHORE 2 STATIONARY BLIND OR BLIND SITE LICENSED TO THE PERSON HOLDING THE 3 REGULATED SHOOTING AREA PERMIT.
- 4 (c) (1) The Department, by regulation, shall govern and prescribe the size of the area, the method of hunting, the open and closed seasons, the release, possession, and use of propagated wildlife, and any reports the Department deems necessary.
- 7 (2) (I) The Department shall require each person holding a regulated 8 shooting ground permit to file a report with the Department, on forms provided by the 9 Department, by April 30 of each year for the most recently concluded hunting season.
- 10 (II) The report shall include:
- 11 **[(i)] 1.** The number and species of captive raised birds that have 12 been released, killed, or recaptured [on] IN the regulated shooting [ground] AREA each 13 day;
- [(ii)] 2. The number and species of all wild waterfowl that have been killed [on] IN the regulated shooting [ground] AREA excluding any of the captive raised birds listed in [subparagraph (i)] ITEM 1 of this [paragraph] SUBPARAGRAPH;
- 17 **[**(iii)**] 3.** An estimate of how many captive raised birds by species were released and not captured; and
- [(iv)] 4. Any outbreaks of avian influenza or other diseases in the captive raised birds raised, released, or captured [on] IN the regulated shooting [ground] AREA.
- 22 (3) (I) The permittee shall maintain records of the number and species of captive raised birds purchased, the date on which they were purchased, and the name and address from whom they were purchased.
- 25 (II) These records shall be retained for 12 months from the date of 26 the transaction.
- 27 (4) The permittee shall report unusual death or sickness of captive raised 28 birds immediately to the nearest Maryland Department of Agriculture animal health 29 laboratory, and transport dead and sick captive raised birds to the nearest Maryland 30 Department of Agriculture animal health laboratory for diagnostic examination.
- 31 (5) The permittee shall allow the Department or the Department's 32 representative to inspect:
- 33 (i) Those records required to be maintained under paragraphs (2) and (3) of this subsection; and

$\frac{1}{2}$	(ii) All hatcheries, equipment, and facilities used for rearing and holding captive raised birds.
3 4	(6) The permittee shall allow the Department or the Department's representative to:
5 6	(i) Collect environmental samples from all hatching, rearing, and holding facilities;
7 8	(ii) Culture or biochemical test these samples for the presence of avian diseases; and
9 10	(iii) [Test] SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, TEST a sample of captive raised birds from the permittee's flock.
11 12	(7) The permittee shall provide the Department captive raised birds for testing at no cost to the Department as the Department deems necessary.
13 14 15	(d) (1) (I) [Any] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A person desiring to hunt on any regulated shooting ground shall first obtain a special license. [However, a]
16 17	(II) A person holding a resident or nonresident hunter's license may not be required to obtain the license prescribed by this section.
18	(2) (I) The license shall [bear]:
19	1. BEAR the signature of the Secretary; and [shall be]
20 21	2. BE countersigned by the issuing agent who at the same time shall fill out a stub attached to the license with the name and address of the licensee.
22 23	(II) The agent then shall detach the stub and mail it to the Secretary the first day of each month.
24	(III) The agent shall [retain]:
25 26	1. RETAIN 50 cents as compensation for issuing each license[. The agent shall deliver]; AND

(IV) The licensee shall insert the licensee's name in ink on the license

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- 2 (3) The Department shall charge a reasonable fee for the purchase of a special license.
- 4 (4) The license shall expire on June 30 after the date of issuance.
- 5 (5) The license is not transferable and if used or presented by any person other than the person to whom it was issued, the license shall be confiscated by the Secretary, any Natural Resources police officer, or any law enforcement officer.
- 8 **[(f)](E)** (1) For the purposes of this subsection a second or subsequent 9 conviction is a violation that has occurred within 2 years and that arises out of a separate 10 set of circumstances.
- 12 if a person who holds a permit to establish and operate a regulated shooting [ground] AREA
 13 under this section or any other guest of that person is convicted of violating on the premises
 14 of the regulated shooting [ground] AREA a provision of State or federal law or regulation
 15 that establishes daily or seasonal bag limits, prohibits baiting, or prohibits the hunting of
 16 wetland game birds [on] IN a regulated shooting [ground] AREA by the use or aid of live
 17 birds as decoys, the Secretary shall suspend the permit:
- 18 (i) For the first conviction, for the following permit year; and
- 19 (ii) For the second or subsequent conviction, for the following 2 20 permit years.
- [(g)] (F) If a regulated shooting [ground] AREA permit is suspended, a new permit may not be issued for that regulated shooting [ground] AREA, regardless of who applies, until the period of suspension ends.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.