

10 AN ACT CONCERNING

20 **Deer Management Plans - Increased Harvest**

30 FOR the purpose of
40 extending the length of a certain deer hunting
50 season to a certain number of days; authorizing the Department's deer management
60 plans in certain areas to include certain methods under certain circumstances;
70 authorizing the donation of certain meat to certain organizations and the
80 payment of certain costs in certain ways; requiring the Department to report
90 and make recommendations to certain persons at a certain time regarding
100 certain aspects of its deer management plans; defining certain terms; and
110 generally relating to certain deer management plans for increased harvest.

120 BY repealing and reenacting, with amendments,
130 Article - Natural Resources
140 Section 10-405(a) and 10-415
150 Annotated Code of Maryland
160 (2000 Replacement Volume and 2001 Supplement)

170 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE: That the
180 Laws of Maryland read as follows:

190 **Article - Natural Resources**

200 10-405.

210 (a) (1) Pursuant to § 10-205 of this title, the Department shall establish by
220 regulation and publish by July 1 each year the open season, excepting Sundays, to
230 hunt forest and upland game birds and mammals.

240 10-415.

250 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
260 INDICATED.

270 (2) "CARRYING CAPACITY" MEANS THE MAXIMUM NUMBER OF DEER
280 THAT CAN:

290 (I) BE SUPPORTED BY THE AVAILABLE HABITAT; AND

300 (II) COEXIST COMPATIBLY WITH THE LOCAL HUMAN POPULATION.

310 (3) "DEER" INCLUDES:

320 (I) WHITE-TAILED AND SIKA DEER; AND

330 (II) ANTLERED AND ANTLERLESS DEER.

340 (4) "URBAN MANAGEMENT REGION" INCLUDES:

350 (I) ANNE ARUNDEL, BALTIMORE, HOWARD, MONTGOMERY, AND
360 PRINCE GEORGE'S COUNTIES;

370 (II) BALTIMORE CITY AND THE CITY OF FREDERICK; AND
380 (III) THAT PORTION OF FREDERICK COUNTY THAT IS LOCATED
390 SOUTH OF INTERSTATE 70 AND EAST OF U.S. ROUTE 15.

400 (B) (1) There are the following 3 seasons to hunt deer:
410 (I) Deer bow hunting season;
420 (II) Deer firearms season; and
430 (III) Deer muzzle loader season.
440 (2) DEER FIREARMS SEASON SHALL BE AT LEAST 21 DAYS.

450 (D) THE DEPARTMENT:
460 (1) SHALL ESTABLISH A NONRESIDENT 3-DAY DEER FIREARMS
470 LICENSE, FOR WHICH THE FEE MAY NOT EXCEED THE FEE PAID BY A RESIDENT;
480 AND
490 (2) MAY NOT CHARGE A NONRESIDENT A FEE IN EXCESS OF THE FEE
500 PAID BY A RESIDENT FOR EACH DEER STAMP AND EACH BONUS DEER STAMP.

510 ~~(B)~~ (C) (1) Every person killing a deer shall report with the deer to a
520 designated checking station within 24 hours after killing the deer.
530 (2) Notwithstanding any requirement of law, if the designated checking
540 stations are closed in the county where a person kills a deer, a Natural Resources
550 police officer shall authorize the person to report with the deer to a designated
560 checking station in another county.

570 ~~(C)~~ (D) (1) Subject to subsection [(d)(3)] (E)(3) of this section, a person with
580 a consolidated hunting license also may purchase bonus deer stamps from the
590 Department.
600 (2) A bonus deer stamp allows the person with the consolidated hunting
610 license to hunt 1 deer for each stamp purchased in any of the following hunting
620 seasons for deer in the State:
630 (i) Deer bow hunting season;
640 (ii) Deer muzzle loader season; and
650 (iii) Deer firearms season.
660 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the
670 fee for each bonus deer stamp issued in accordance with this subsection shall be \$5.00
680 for residents and \$25 for nonresidents.
690 (ii) The fee for each bonus deer stamp issued under this subsection
700 shall be \$5.00 for an individual hunting deer on a federal facility.
710 (4) The Department may establish by regulation the type and number of
720 deer stamps issued under this subsection if necessary to control the deer harvest in
730 various areas of the State.

- 740 ~~(D)~~ (E) (1) A person with a basic hunting license and any individual
750 hunting stamp also may purchase bonus deer stamps for use during any deer hunting
760 season.
- 770 (2) (i) Except as provided in subparagraph (ii) of this paragraph and
780 subject to paragraph (3) of this subsection, the bonus deer stamp allows the
790 person with the basic license to hunt 1 deer in each hunting season for which the
800 person has purchased an individual hunting stamp.
- 800 (ii) An individual who purchases a bonus deer stamp but does not
810 use it during a particular season may use that stamp during any subsequent
820 season in that hunting license year.
- 830 (3) (i) The Department may issue a limited number of bonus
840 antlerless deer stamps for the purpose of regulating the harvest of antlerless deer
850 in a particular deer management region or zone.
- 860 (ii) The fee to apply for a bonus antlerless deer stamp is \$5 for
870 residents and \$25 for nonresidents.
- 880 (iii) The fee is nonrefundable if the applicant does not obtain an
890 antlerless deer stamp. If an individual obtains a bonus antlerless deer stamp, the
900 application fee for the stamp will be applied to the fee for the stamp and no
910 additional stamp fee will be required.
- 920 ~~(E)~~ (F) A person may not remove the head or hide or any part from any deer,
930 except internal organs, or cut the meat into parts until the deer has been checked by
940 the Department or 1 of the Department's agents at a designated checking station.
950 Removal of the head or the hide of any deer not checked at a designated checking
960 station shall be prima facie evidence that the deer was hunted illegally. Each separate
970 deer or part of any deer taken illegally or found in possession shall be considered a
980 separate offense.
- 990 ~~(F)~~ (G) Any person who, while operating a motor vehicle on any highway in
1000 the State, accidentally strikes and kills a deer on the highway may have the deer if
1010 the person produces visible evidence of collision with the deer to any Natural
1020 Resources police officer, State law enforcement officer, or other designated
1030 representative of the Secretary. The provisions of this subsection shall be applicable
1040 to deer killed by collision with a motor vehicle at any time whether during the open
1050 season for killing deer or during the legally closed season.
- 1060 ~~(G)~~ (H) A person may not hunt a deer while the deer is taking refuge in or
1070 swimming through the waters of the State.
- 1080 (I) Upon written request from a federal facility for a variance from the
1090 established deer hunting season, the Department shall review the request and may:
- 1100 (1) Approve the request;
- 1110 (2) Deny the request; or
- 1120 (3) Approve the request with conditions.
- 1130 ~~(H)~~ (J) IN A ZONE OF THE URBAN MANAGEMENT REGION IN WHICH THE
1140 DEER POPULATION HAS BECOME, OR IF LEFT UNATTENDED WILL BECOME, A

1150 THREAT TO PUBLIC HEALTH OR SAFETY OR A NUISANCE BECAUSE THE
1160 POPULATION IS IN EXCESS OF THE CARRYING CAPACITY OF THE ZONE, THE
1170 DEPARTMENT'S DEER MANAGEMENT PLAN MAY ALLOW FOR AN INCREASED
1180 HARVEST BY THE USE, AS APPROPRIATE, OF BAIT, PROFESSIONAL
1190 SHARPSHOOTERS, LETHAL DARTS, OR CAPTURE AND EUTHANASIA.

1200 ~~(F)~~ (K) (1) THE MEAT OF DEER HARVESTED UNDER THIS SECTION MAY BE
1210 DONATED TO AN ORGANIZATION THAT HAS BEEN APPROVED BY THE
1220 STATE FOR TAX-EXEMPT STATUS.

1230 (2) PROCESSING COSTS FOR DONATED MEAT MAY BE PAID BY:

1240 (I) PRIVATE DONATIONS; AND

1250 (II) AS DETERMINED APPROPRIATE BY THE DEPARTMENT, A
1260 PORTION OF THE REVENUE OBTAINED FROM THE PURCHASE OF
1270 DEER HUNTING LICENSES AND STAMPS ISSUED UNDER THIS
1280 SECTION.

1290 ~~(G)~~ (L) IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT
1300 ARTICLE, THE DEPARTMENT SHALL ANNUALLY REPORT AND MAKE
1310 RECOMMENDATIONS TO THE LEGISLATIVE POLICY COMMITTEE, THE SENATE
1320 EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE
1330 HOUSE ENVIRONMENTAL MATTERS COMMITTEE ON:

1340 (1) FOR EACH DEER MANAGEMENT REGION AND, AS APPROPRIATE,
1350 EACH ZONE WITHIN A REGION, THE STATUS OF THE CARRYING CAPACITY
1360 OF THE REGION OR ZONE IN RELATIONSHIP TO THE CURRENT POPULATION
1370 OF DEER, AS PROJECTED FOR THE NEXT 2 YEARS;

1380 (2) THE IMPACT AND ANTICIPATED IMPACT OF INCREASED HARVEST
1390 MEASURES ON THE OVERPOPULATION OF DEER IN EACH DEER
1400 MANAGEMENT REGION OF THE STATE;

1410 (3) THE EXTENT TO WHICH NATURAL PREDATORS HAVE REDUCED,
1420 AND ARE EXPECTED TO REDUCE, THE POPULATION;

1430 (4) LAW ENFORCEMENT ISSUES; AND

1440 (5) CITIZEN RESPONSE.

1450 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect
1460 October 1, 2002.

1470 MANDATES: Governor Parris N. Glendening
1480 Secretary of the Department of Natural Resources

Sponsor:
Scott T. Gibson
Senate Conservative Party Leader
MSM Delegation Chairman
Advisor to the Governor
Mount Saint Mary's College
Emmitsburg, Maryland 21727
STGibson82@hotmail.com