

HOUSE BILL 954

M2

3lr1997

By: **Delegates Hornberger and Schmidt**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Hunting – Tundra Swans**

3 FOR the purpose of requiring the Department of Natural Resources to establish an annual
4 tundra swan hunting season if authorized by federal law; requiring the Department
5 to request that the U.S. Fish and Wildlife Service authorize an annual tundra swan
6 hunting season in the State and provide the Department with a certain number of
7 permits to take tundra swan annually; requiring the Department to distribute
8 tundra swan permits annually using a lottery-based system under certain
9 circumstances; and generally relating to a tundra swan hunt in the State.

10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 10–405
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2022 Supplement)

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

17 **Article – Natural Resources**

18 10–405.

19 (a) (1) Pursuant to § 10–205 of this title, the Department shall establish by
20 regulation and publish by July 1 each year the open season to hunt forest and upland game
21 birds and mammals.

22 (2) Except as provided under § 10–410 of this subtitle, the Department may
23 not authorize hunting on a Sunday.

24 (3) (i) 1. Subject to subparagraph 2 of this subparagraph, the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Department shall establish by regulation by July 1 of each year a junior deer hunt to occur
2 on a Saturday and Sunday on the same weekend during a deer hunting season.

3 2. The regulations adopted under this subparagraph may not
4 authorize the junior deer hunt to occur on a Sunday in a county in which deer hunting is
5 not authorized for that Sunday.

6 (ii) A person may participate in the junior deer hunt if the person:

7 1. Is 16 years of age or younger;

8 2. Possesses a valid hunting license or is exempt from
9 hunting license requirements; and

10 3. Is accompanied by a person who:

11 A. Is at least 21 years of age;

12 B. Possesses a valid hunting license or is exempt from
13 hunting license requirements; and

14 C. Is not in possession of a firearm, a bow, or any other
15 hunting device.

16 (iii) A person who participates in the junior deer hunt may use a
17 firearm to hunt deer on the days of the hunt.

18 (b) If the Department by regulation pursuant to § 10–205 of this title restricts or
19 reduces the number of days normally allowed to hunt, possess, sell, purchase, ship,
20 transport, carry, or export any game bird or mammal because of an emergency situation,
21 the Department may extend the open season to provide a comparable number of days in
22 any given season.

23 (c) The Department shall establish by regulation the maximum open season for
24 hunting crows which is permissible under federal law, and shall include in its regulations
25 such provisions as are permitted under federal law for control of crows at any time they are
26 found to be committing or about to commit depredation upon ornamental or shade trees,
27 agricultural crops, livestock or wildlife, or when concentrated in such numbers and manner
28 as to constitute a health hazard or other nuisance.

29 **(D) (1) IF AUTHORIZED BY FEDERAL LAW, THE DEPARTMENT SHALL**
30 **ESTABLISH AN ANNUAL TUNDRA SWAN HUNTING SEASON.**

31 **(2) THE DEPARTMENT SHALL REQUEST THAT THE U.S. FISH AND**
32 **WILDLIFE SERVICE:**

1 **(I) AUTHORIZE AN ANNUAL TUNDRA SWAN HUNTING SEASON IN**
2 **THE STATE; AND**

3 **(II) PROVIDE THE DEPARTMENT WITH THE NUMBER OF**
4 **PERMITS TO TAKE TUNDRA SWAN ANNUALLY FOR WHICH THE DEPARTMENT IS**
5 **ELIGIBLE.**

6 **(3) IF THE U.S. FISH AND WILDLIFE SERVICE PROVIDES THE**
7 **DEPARTMENT WITH PERMITS TO TAKE TUNDRA SWAN, THE DEPARTMENT SHALL**
8 **DISTRIBUTE THE PERMITS ANNUALLY USING A LOTTERY-BASED SYSTEM.**

9 **(4) (I) A PERSON MAY NOT HUNT TUNDRA SWAN WITHOUT**
10 **OBTAINING A PERMIT FROM THE DEPARTMENT.**

11 **(II) A PERSON WHO HARVESTS A TUNDRA SWAN SHALL REPORT**
12 **THE INFORMATION THE DEPARTMENT REQUIRES ON A FORM PROVIDED BY THE**
13 **DEPARTMENT.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2023.