

~~(3) For the purpose of this subsection, a second or subsequent violation is a violation which has occurred within 2 years of any prior violation of this title and which arises out of a separate set of circumstances.~~

~~(d) In addition to any administrative penalty provided in this title, violation of any regulation adopted by any unit within the Department pursuant to the provisions of this title is a misdemeanor and is punishable as provided in subsections (b) and (c) of this section.~~

~~(e) This section does not apply to a violation of § 10-424(2) of this title.~~

(A) A PERSON MAY NOT SHOOT AT OR KILL A BIRD OR ANIMAL IN THE STATE WITH A GUN OR OTHER DEVICE OPERATED OR ACCESSED VIA AN INTERNET CONNECTION.

(B) ACCESSING, REGULATING ACCESS TO, OR REGULATING THE CONTROL OF A GUN OR DEVICE CAPABLE OF BEING OPERATED IN VIOLATION OF THIS SECTION SHALL BE PRIMA FACIE EVIDENCE OF THE COMMISSION OF AN OFFENSE UNDER THIS SECTION.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

(D) THE HUNTING PRIVILEGE OR HUNTING LICENSE OF A PERSON CONVICTED OF VIOLATING THIS SECTION SHALL BE REVOKED, AND THE PERSON SHALL BE DENIED THE PRIVILEGE OF HUNTING IN THE STATE FOR AT LEAST 2 YEARS AND NOT MORE THAN 5 YEARS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.

May 26, 2006

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1015 – *Maryland Health Care Commission – Certificate of Need – Health Care Facilities*.

This bill alters the level of capital expenditures made by or on behalf of a hospital or a health care facility other than a hospital that requires a certificate of need; provides that a certificate of need is not required for a capital expenditure by a hospital or a plant donated to a hospital, under specified circumstances; and alters an exemption from the requirement to obtain a certificate of need to close a hospital or part of a hospital.

Senate Bill 832, which was passed by the General Assembly and allowed to go into