

wildlife, but "raccoons, fox, or opossum may be hunted on foot at nighttime during the open season with the use of a dog or light, or both" (emphasis added). House Bill 208, as introduced, only added the word "fox" to Section 10-410(b) for the sake of consistency and clarity.

The legislative history and letters I have received since the legislation was passed indicates there is much confusion as to its impact. When the bill was considered in the House, the Environmental Matters Committee amended the bill to specify that a person hunting fox at night could only use a .22 rimfire rifle or pistol or a shotgun loaded with shot that was not larger than BB pellets. In the Senate, the Economic and Environmental Affairs Committee amended the bill further to add raccoon or opossum to the House amendment but limited the prohibition on weapons to a .22 rimfire rifle or pistol. The concern of the Environmental Matters Committee was that there should be some type of limitation on the caliber of weapons to discourage the jacklighting of deer. In the Economic and Environmental Affairs Committee, the concern voiced in debate was that fox hunting with shotgun pellets could do damage to fox hides.

I have received numerous letters from legislators, hunting groups, and concerned citizens requesting that I veto House Bill 208 because of the danger nighttime hunting of fox will pose to hunters, hunting dogs, and the public. The letters reveal some confusion with the existing law in that even if House Bill 208 were not enacted, a person may currently hunt fox at night on foot and with any caliber weapon. The letters, however, raise legitimate concerns regarding the adverse impact this legislation might have on jacklighting of wildlife and public safety.

Recognizing the concerns and confusion raised by legislators and citizens, the Secretary of Natural Resources has requested that I veto House Bill 208. It is my understanding that the Department will review this matter more thoroughly and work with hunting groups on possible legislation for next Session.

Therefore, for the above reasons, I have decided to veto House Bill 208.

Sincerely,  
Harry Hughes  
Governor

House Bill No. 208

AN ACT concerning

Nighttime Fox, Raccoon, and Opossum Hunting

FOR the purpose of exempting fox from the prohibition on nighttime hunting; and limiting a person to the use of