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By: **Senator Grosfeld**

Introduced and read first time: February 3, 2006

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Black Bear Hunt - Prohibition**

3 FOR the purpose of classifying black bears as nongame mammals; prohibiting the  
4 Department of Natural Resources from reducing the black bear population in  
5 the State with certain exceptions; prohibiting the Department from establishing  
6 an open season to hunt black bears; and generally relating to the prohibition of  
7 hunting black bears.

8 BY repealing and reenacting, with amendments,  
9 Article - Natural Resources  
10 Section 10-101(f), 10-206, and 10-405(a)  
11 Annotated Code of Maryland  
12 (2000 Replacement Volume and 2005 Supplement)

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

15 **Article - Natural Resources**

16 10-101.

17 (f) "Forest game birds and mammals" means forest game birds (ruffed grouse  
18 and turkey) and forest game mammals ([black bears,] deer, fox squirrels, excluding  
19 the Delmarva subspecies, and gray and red squirrels) or any part, egg, offspring, or  
20 dead body of any of them.

21 10-206.

22 (A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE  
23 Department may reduce the wildlife population in any county, election district, or  
24 other identifiable area of the State after a thorough investigation reveals that  
25 protected wildlife is seriously injurious to agricultural or other interests in the  
26 affected area. The method of reducing the wildlife population is at the Department's  
27 discretion, except that trapping is preferred whenever feasible. The Department shall

1 dispose of wildlife taken pursuant to the provisions of this section as the Department  
2 deems advisable.

3 (B) THE DEPARTMENT MAY NOT REDUCE THE BLACK BEAR POPULATION IN  
4 ANY AREA OF THE STATE EXCEPT:

5 (1) IN DEFENSE OF A PERSON, THE PROPERTY OF A PERSON, OR A  
6 DOMESTICATED ANIMAL ON THE PROPERTY OF A PERSON; AND

7 (2) AFTER EXHAUSTING ALL NONLETHAL METHODS OF RESOLVING  
8 CHRONIC DOCUMENTED AGRICULTURAL DAMAGE OR DEPREDATION CAUSED BY THE  
9 BLACK BEAR.

10 10-405.

11 (a) (1) Pursuant to § 10-205 of this title, AND SUBJECT TO PARAGRAPH (2)  
12 OF THIS SUBSECTION, the Department shall establish by regulation and publish by  
13 July 1 each year the open season to hunt forest and upland game birds and mammals.

14 (2) THE DEPARTMENT MAY NOT ESTABLISH AN OPEN SEASON TO HUNT  
15 BLACK BEARS.

16 [(2)] (3) Except as provided under § 10-410 of this subtitle, the  
17 Department may not authorize hunting on a Sunday.

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