

# HOUSE BILL 1368

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HB 1157/06 – ENV

71r2654

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By: **Delegates Frush, Ali, Barkley, Beidle, Bronrott, Cardin, Dumais, Guzzone, Hucker, Lawton, Lee, Montgomery, Pena–Melynk, Taylor, F. Turner, and Vaughn**

Introduced and read first time: March 2, 2007  
Assigned to: Rules and Executive Nominations

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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 2006 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  
18 grouse and turkey) and forest game mammals ([black bears,] deer, fox squirrels,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 excluding the Delmarva subspecies, and gray and red squirrels) or any part, egg,  
2 offspring, or dead body of any of them.

3 10-206.

4       **(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**  
5 **THE** Department may reduce the wildlife population in any county, election district, or  
6 other identifiable area of the State after a thorough investigation reveals that  
7 protected wildlife is seriously injurious to agricultural or other interests in the affected  
8 area. The method of reducing the wildlife population is at the Department's discretion,  
9 except that trapping is preferred whenever feasible. The Department shall dispose of  
10 wildlife taken pursuant to the provisions of this section as the Department deems  
11 advisable.

12       **(B) THE DEPARTMENT MAY NOT REDUCE THE BLACK BEAR**  
13 **POPULATION IN ANY AREA OF THE STATE EXCEPT:**

14               **(1) IN DEFENSE OF A PERSON, THE PROPERTY OF A PERSON, OR A**  
15 **DOMESTICATED ANIMAL ON THE PROPERTY OF A PERSON; AND**

16               **(2) AFTER EXHAUSTING ALL NONLETHAL METHODS OF**  
17 **RESOLVING CHRONIC DOCUMENTED AGRICULTURAL DAMAGE OR DEPREDATION**  
18 **CAUSED BY THE BLACK BEAR.**

19 10-405.

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

24               **(2) THE DEPARTMENT MAY NOT ESTABLISH AN OPEN SEASON TO**  
25 **HUNT BLACK BEARS.**

26               **[(2)] (3)** Except as provided under § 10-410 of this subtitle, the  
27 Department may not authorize hunting on a Sunday.

28       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2007.