

SENATE BILL 293

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By: **Senator Edwards**

Introduced and read first time: January 28, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Black Bear Damage – Funds for Reimbursement**

3 FOR the purpose of requiring application fees for the black bear hunting permit
4 lottery to be used to reimburse certain persons for certain damage; and
5 generally relating to reimbursement for certain damage caused by black bears.

6 BY repealing and reenacting, with amendments,
7 Article – Natural Resources
8 Section 10–423.1
9 Annotated Code of Maryland
10 (2007 Replacement Volume and 2008 Supplement)

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

13 **Article – Natural Resources**

14 10–423.1.

15 (a) The General Assembly finds that it is in the public interest to provide
16 funding to reimburse a person who has sustained damage to agricultural products as a
17 result of black bear.

18 (b) (1) There is a Black Bear Damage Reimbursement Fund in the
19 Department.

20 (2) The Fund consists of:

21 (i) Proceeds from the sale of a conservation bear stamp or decal
22 which may be purchased at a cost of \$5 for each stamp or decal; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(ii) Gifts, grants, and contributions to the State that are designated for inclusion in the Fund.

(3) The Fund is a continuing, nonlapsing special fund, and is not subject to § 7-302 of the State Finance and Procurement Article.

(4) The State Treasurer shall hold and the State Comptroller shall account for the Fund.

(c) The Department may reimburse a person from the Black Bear Damage Reimbursement Fund in accordance with subsections (d) and (e) of this section for any damage to the person's:

(1) Beehives, fruit, or other crops; or

(2) Livestock and poultry as defined in § 1-101 of the Agriculture Article.

(d) (1) A person is eligible to be reimbursed from the Fund if:

(i) The person has followed all black bear damage preventive measures recommended by the Department;

(ii) The damage amount is determined by an extension agent of the University of Maryland Cooperative Extension Service; and

(iii) The Department has verified that the damage was caused by black bear.

(2) Subject to available funding, a person may be reimbursed from the Fund in an amount not less than \$200 or more than \$3,000 per year.

(e) If the money in the Fund is not sufficient to satisfy all the claims in accordance with the conditions described in subsection (d) of this section, [an equal percent of each claim shall be paid] **PERMIT APPLICATION FEES COLLECTED BY THE DEPARTMENT FOR THE BLACK BEAR HUNTING PERMIT LOTTERY SHALL BE USED TO MAKE UP THE DIFFERENCE BETWEEN THE FUND BALANCE AND THE AMOUNT SUFFICIENT TO SATISFY ALL THE CLAIMS.**

(f) The Department shall adopt regulations to carry out the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.