

HOUSE BILL 755

M2

6lr3154
CF SB 524

By: **Allegany County Delegation and Garrett County Delegation**

Introduced and read first time: February 8, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County and Garrett County – Black Bears – Baiting**

3 FOR the purpose of prohibiting a person from taking or attempting to take black bears in
4 Allegany County and Garrett County by the aid of baiting or within a certain
5 distance of a baited area if the person knows or reasonably should know that the
6 area is a baited area; providing that this Act does not prohibit the taking of black
7 bears on certain crops, grains, or lands; defining certain terms; and generally
8 relating to taking or attempting to take black bears in Allegany County and Garrett
9 County.

10 BY adding to

11 Article – Natural Resources

12 Section 10–427

13 Annotated Code of Maryland

14 (2012 Replacement Volume and 2015 Supplement)

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

17 **Article – Natural Resources**

18 **10–427.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(2) “BAITED AREA” MEANS AN AREA WHERE SHELLED, SHUCKED, OR**
22 **UNSHUCKED CORN, WHEAT OR OTHER GRAIN, SALT, OR OTHER FEED CAPABLE OF**
23 **LURING, ATTRACTING, OR ENTICING BLACK BEARS IS DIRECTLY OR INDIRECTLY**
24 **PLACED, EXPOSED, DEPOSITED, DISTRIBUTED, OR SCATTERED, AND THIS AREA**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 REMAINS A BAITED AREA FOR 10 DAYS FOLLOWING COMPLETE REMOVAL OF ALL
2 CORN, WHEAT OR OTHER GRAIN, SALT, OR OTHER FEED.

3 (3) "BAITING" MEANS THE PLACING, EXPOSING, DEPOSITING,
4 DISTRIBUTING, OR SCATTERING OF SHELLED, SHUCKED, OR UNSHUCKED CORN,
5 WHEAT OR OTHER GRAIN, SALT, OR OTHER FEED SO AS TO CONSTITUTE FOR BLACK
6 BEARS A LURE, ATTRACTION, OR ENTICEMENT TO OR ON ANY AREAS WHERE
7 PERSONS ARE ATTEMPTING TO TAKE BLACK BEARS.

8 (B) THIS SECTION APPLIES ONLY TO ALLEGANY COUNTY AND GARRETT
9 COUNTY.

10 (C) A PERSON MAY NOT TAKE OR ATTEMPT TO TAKE BLACK BEARS:

11 (1) BY THE AID OF BAITING; OR

12 (2) WITHIN 150 YARDS OF ANY BAITED AREA IF THE PERSON KNOWS
13 OR REASONABLY SHOULD KNOW THAT THE AREA IS A BAITED AREA.

14 (D) (1) THIS SECTION DOES NOT PROHIBIT THE TAKING OF BLACK BEARS
15 ON:

16 (I) STANDING CROPS, GRAIN CROPS PROPERLY SHUCKED ON
17 THE FIELD WHERE GROWN, OR GRAINS FOUND SCATTERED SOLELY AS THE RESULT
18 OF NORMAL AGRICULTURAL PLANTING OR HARVESTING; OR

19 (II) LANDS WHERE SHELLED, SHUCKED, OR UNSHUCKED CORN,
20 WHEAT OR OTHER GRAIN, SALT, OR OTHER FEED HAS BEEN DISTRIBUTED OR
21 SCATTERED AS THE RESULT OF:

22 1. BONA FIDE AGRICULTURAL OPERATIONS OR
23 PROCEDURES; OR

24 2. SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,
25 MANIPULATION OF A CROP OR OTHER FEED ON THE LAND WHERE GROWN FOR
26 WILDLIFE MANAGEMENT PURPOSES.

27 (2) MANIPULATION FOR WILDLIFE MANAGEMENT PURPOSES DOES
28 NOT INCLUDE THE DISTRIBUTING OR SCATTERING OF GRAIN OR OTHER FEED ONCE
29 IT HAS BEEN REMOVED FROM OR STORED ON THE FIELD WHERE GROWN.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2016.