

FOR the purpose of reclassifying raccoons and opossums from "fur-bearing mammals" to "forest game birds and mammals;" altering the statutory authority of the Department of Natural Resources to promulgate certain regulations relating to raccoons and opossums; and generally relating to raccoons and opossums ; and providing [[a]] certain exceptions [[exception]].

May 17, 1976.

Honorable John Hanson Briscoe  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 304.

This bill concerns the status of raccoons and opossum under the Wildlife Title to the Natural Resources Article. At present, pursuant to sections 10-406 (b) (4) and 10-410 (k) of the Natural Resources Article, the Department of Natural Resources can, by rule and regulation, regulate the hunting and trapping of raccoons and opossum, as well as the possession of their pelts and meat.

House Bill 304 amends section 10-101 to reclassify these animals from the category "furbearing mammal" to "forest game bird and mammal". It also amends section 10-406 to (1) repeal the authority of the Department to adopt rules and regulations governing the trapping, hunting, and possession of the pelts and meat of raccoons and opossum, (2) authorize persons to trap these animals on their own property for certain purposes, (3) exempt State and private wetlands from the provisions of the section, and (4) state that the section does not prevent the Department from implementing any wildlife control program prescribed by law. The effect of these changes, when read in conjunction with sections 10-405 and 10-410(k), is to permit the unrestricted trapping of these animals except on wetlands and to prohibit their trapping on State and private wetlands.

I am advised by the Department of Natural Resources that raccoons and opossum are a major predator of waterfowl through their destruction of nesting areas, and are also capable of doing substantial damage to crops and farm animals. The Department believes, therefore, that unless their population is controlled, not only will unnecessary property damage result, but the ecological balance in large areas of the State will be upset.