

the defendant.]

SECTION 2. AND BE IT FURTHER ENACTED, That new Sections 10-2A01 through 10-2A09, inclusive, to be under the new subtitle "2A. Nongame and Endangered Species Conservation Act" be and they are hereby added to Article - Natural Resources, of the Annotated Code of Maryland (1974 Volume and 1974 Supplement) to read as follows:

Article - Natural Resources

2A. NONGAME AND ENDANGERED SPECIES CONSERVATION ACT

10-2A01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CONSERVE" MEANS TO USE ALL METHODS AND PROCEDURES FOR THE PURPOSE OF INCREASING THE NUMBER OF INDIVIDUALS WITHIN SPECIES OR POPULATIONS UP TO THE OPTIMUM CARRYING CAPACITY OF THEIR HABITAT AND MAINTAINING THESE LEVELS. THESE METHODS AND PROCEDURES INCLUDE ALL ACTIVITIES ASSOCIATED WITH SCIENTIFIC RESOURCES MANAGEMENT SUCH AS RESEARCH, CENSUS, LAW ENFORCEMENT, HABITAT ACQUISITION AND MAINTENANCE, PROPAGATION, LIVE TRAPPING, AND TRANSPLANTATION, INCLUDING THE PERIODIC OR TOTAL PROTECTION OF SPECIES OR POPULATIONS AS WELL AS REGULATED TAKING. WITH RESPECT TO ENDANGERED AND THREATENED SPECIES, THE TERM MEANS TO USE ALL METHODS AND PROCEDURES INCLUDING THOSE DESCRIBED ABOVE WHICH ARE NECESSARY TO BRING ANY ENDANGERED OR THREATENED SPECIES TO THE POINT AT WHICH THE MEASURES PROVIDED FOR THESE SPECIES PURSUANT TO THIS SUBTITLE ARE NO LONGER NECESSARY, EXCEPT THAT REGULATED TAKING AS A METHOD AND PROCEDURE SHALL BE LIMITED TO THE EXTRAORDINARY CASE WHERE POPULATION PRESSURES WITHIN A GIVEN ECOSYSTEM CANNOT BE OTHERWISE RELIEVED.

(C) "ECOSYSTEM" MEANS A SYSTEM OF LIVING ORGANISMS AND THEIR ENVIRONMENT, EACH INFLUENCING THE EXISTENCE OF THE OTHER AND BOTH NECESSARY FOR THE MAINTENANCE OF LIFE.

(D) "ENDANGERED SPECIES" MEANS ANY SPECIES WHOSE CONTINUED EXISTENCE AS A VIABLE COMPONENT OF THE STATE'S WILDLIFE OR PLANTS IS DETERMINED TO BE IN JEOPARDY INCLUDING ANY SPECIES OF WILDLIFE OR PLANT DETERMINED TO BE AN "ENDANGERED SPECIES" PURSUANT TO THE ENDANGERED SPECIES ACT.

(E) "ENDANGERED SPECIES ACT" MEANS THE ENDANGERED SPECIES ACT OF 1973, 87 STAT. 884.