

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1256

H. P. 1037

House of Representatives, March 11, 1981

Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative MacEachern of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to Bear Hunting.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 12 MRSA § 7451, sub-§ 1, as enacted by PL 1979, c. 420, § 1, is repealed and the following enacted in its place:

1. Open and closed season.

A. There shall be an open season on hunting bear with firearms or bow and arrow from May 1st to June 30th and from September 1st to the Saturday following Thanksgiving in each calendar year.

B. There shall be an open season on hunting bear using dogs from September 1st to October 31st in each calendar year.

Sec. 2. 12 MRSA § 7451, sub-§§ 3, 4 and 5 are enacted to read:

3. Bear bait. Notwithstanding Title 17, chapter 80, any person may use bear bait as an attractor during the open season on hunting bear, provided that:

A. He places no more than 2 cubic feet of bear bait within a 30-foot radius;

B. The bear bait entirely biodegradable, and does not include any whole carcasses or plastic materials;

C. The bait area is cleaned at the end of each period of use; and

D. Each bait area is identified with a label containing the hunter's full name and address. The department shall provide these labels at a cost not to exceed \$1 each.

4. Weapons permitted. The following weapons may be used to take bear:

A. Centerfire firearms with muzzle velocities greater than 1200 foot pounds; and

B. Hand held bows capable of propelling an arrow at least 150 yards, used with arrows not less than 7/8 inches in width.

5. Use of dogs for hunting bear.

A. Residents hunting alone or with others may use up to 4 dogs at anyone time to hunt bear.

B. Nonresidents hunting alone or with others may use up to 4 dogs at any one time to hunt bear, provided that:

(1) The hunting party is accompanied at all times by a Maine guide licensed under section 7301, who shall be responsible for compliance with the provisions of this section; and

(2) All dogs used are licensed under Title 7, section 3451 and tattooed for identification.

C. Persons shall report any dogs lost while hunting bear within 12 hours.

D. All members of a hunting party shall be licensed under section 7101.

Sec. 3. 12 MRSA § 7452, sub-§ 5, as enacted by PL 1979, c. 420, § 1, is amended to read:

5. Hunting bear near dumps. A person is guilty of hunting bear near dumps if he hunts bear within ~~200 feet~~ 1/4 mile of any dumping area ~~in the unorganized territories and plantations of this State or sanitary landfill.~~

Sec. 4. 12 MRSA § 7452, sub-§§ 14-A, 14-B and 14-C are enacted to read:

14-A. Disturbing bait areas. A person is guilty of disturbing bait areas if he disturbs any bait area, other than his own, without the consent of the person who established the bait area, except that a landowner or occupant on land which he is legally entitled to possess may remove any material at a bait area if permission for the bait area has not been granted.

14-B. Nonresidents enticing bear. A nonresident is guilty of enticing bear if he places any bait or other food in any place to entice bear to that place.

14-C. Illegal use of bait areas. A person is guilty of illegal use of bait areas if he:

A. Places bear bait within 1/2 miles of another of his bait areas; or

B. Places bear bait within 50 feet of any public or private way.

STATEMENT OF FACT

This bill changes the provisions relating to hunting and trapping bear. It provides for an open season on bear from May through June and September through November. It defines bear bait, and authorizes its use under controlled conditions. The bill also restricts bear baiting or use of dogs by nonresidents, unless they are accompanied by a registered Maine Guide.