

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 457

S.P. 160

In Senate, February 10, 2009

An Act Regarding Nuisance Beaver

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NUTTING of Androscoggin.

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

2 **Sec. 1. 12 MRSA §12404, sub-§2**, as affected by PL 2003, c. 614, §9 and
3 amended by c. 655, Pt. B, §242 and affected by §422, is further amended to read:

4 **2. Beaver.** A person may not take or kill beaver under sections 12401 and 12402.
5 The commissioner may cause agents of the department to take nuisance beaver at any
6 time. The commissioner shall authorize a municipality to remove a nuisance beaver by
7 hunting at any time if the municipality demonstrates to the commissioner's satisfaction
8 that beaver-related activities have repeatedly blocked or partially blocked a public
9 roadway culvert jeopardizing the integrity of that road.

10 A person who violates this subsection commits a Class E crime.

11 **SUMMARY**

12 Under current law, a municipality that wishes to remove a nuisance beaver must hire
13 an animal control agent licensed by the Department of Inland Fisheries and Wildlife to
14 trap the nuisance beaver. This bill requires the Commissioner of Inland Fisheries and
15 Wildlife to authorize a municipality to remove nuisance beaver by hunting if the
16 municipality demonstrates that beaver-related activities have repeatedly jeopardized the
17 integrity of a public road.