

MAINE STATE LEGISLATURE

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February 10, 2011

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 468

H.P. 361

House of Representatives, February 10, 2011

An Act To Amend the Laws Governing Bear Hunting

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative WOOD of Sabattus.

Cosponsored by Representatives: BLACK of Wilton, CROCKETT of Bethel, RICHARDSON of Warren, TIMBERLAKE of Turner, Senator: TRAHAN of Lincoln.

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

2 **Sec. 1. 12 MRSA §10902, sub-§6, ¶E**, as enacted by PL 2003, c. 414, Pt. A, §2
3 and affected by c. 614, §9, is amended to read:

4 E. Buying or selling bear, hunting or trapping bear after having killed ~~one~~ 2 or
5 exceeding the bag limit on bear, in violation of section 11217 ~~or~~ 11351 or 12260;

6 **Sec. 2. 12 MRSA §11251, sub-§1, ¶B**, as enacted by PL 2003, c. 414, Pt. A, §2
7 and affected by c. 614, §9, is amended to read:

8 B. There is an open season on using a dog or dogs in conjunction with bear hunting
9 from the ~~first~~ 2nd Monday preceding September 1st to the 7th day preceding the open
10 firearm season on deer provided in sections 11401 and 11402.

11 **Sec. 3. 12 MRSA §11301, sub-§1, ¶F**, as enacted by PL 2003, c. 414, Pt. A, §2
12 and affected by c. 614, §9, is amended to read:

13 F. The bait areas will be cleaned up by November 10th, as defined by the state litter
14 laws; ~~and~~

15 **Sec. 4. 12 MRSA §11301, sub-§1, ¶G**, as enacted by PL 2003, c. 414, Pt. A, §2
16 and affected by c. 614, §9, is amended to read:

17 G. The person hunting from a stand or blind of another person has permission of the
18 owner of that stand or blind; and

19 **Sec. 5. 12 MRSA §11301, sub-§1, ¶H** is enacted to read:

20 H. The person establishing a bait site on another person's land has written permission
21 from the landowner prior to establishing the bait site.

22 **Sec. 6. 12 MRSA §11351, sub-§1**, as affected by PL 2003, c. 614, §9 and
23 amended by c. 655, Pt. B, §162 and affected by §422, is further amended to read:

24 **1. Hunting or trapping bear; 2-bear limit.** A person may not hunt or trap bear
25 after that person has killed or registered one during ~~any~~ an open season under section
26 11251 and one during the open season on trapping bear under section 12260.

27 **Sec. 7. 12 MRSA §11351, sub-§2**, as affected by PL 2003, c. 614, §9 and
28 amended by c. 655, Pt. B, §163 and affected by §422, is further amended to read:

29 **2. Exceeding bag limit on bears.** A person may not possess more than ~~one bear~~ 2
30 bears in any calendar year, except a person may keep more than one legally obtained bear
31 in that person's home or as otherwise provided in law.

32 **Sec. 8. 12 MRSA §12051, sub-§1, ¶C**, as amended by PL 2009, c. 550, §7, is
33 further amended to read:

34 C. A resident may train up to 6 dogs at any one time on bear from July 1st to the ~~first~~
35 ~~day of~~ 8th day preceding the open season on hunting bear, except in those portions of
36 Washington County and Hancock County that are situated south of Route 9.

Sec. 9. 12 MRSA §12260, sub-§4, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

4. Trapping bear after having killed one. A person may not trap a bear after that person has killed or registered one ~~during any open season~~ trapped pursuant to this section. A person who violates this subsection commits a Class D crime for which the court shall impose a sentencing alternative involving a term of imprisonment not ~~too~~ to exceed 180 days and a fine of not less than \$1,000, none of which may be suspended.

Sec. 10. 12 MRSA §12260, sub-§5, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §222 and affected by §422, is further amended to read:

5. Exceeding bag limit on bears. Except as otherwise provided in this Part, a person may not possess more than ~~one bear~~ 2 bears in any calendar year. A person who violates this subsection commits a Class D crime for which the court shall impose a sentencing alternative involving a term of imprisonment not to exceed 180 days and a fine of not less than \$1,000, none of which may be suspended.

SUMMARY

This bill amends the bear hunting and trapping laws as follows:

1. It shifts the open season for hunting bears with dogs back one week to reduce the overlap with the open season on hunting bears without dogs;

2. It prohibits a person from establishing a bait site on another person's land without first having the written permission of the landowner;

3. It provides that a person may not train dogs on bear within 7 days of the starting date of the open hunting season on bear. Current law allows a person to train dogs on bear through the first day of open season on bear; and

4. It increases the bag limit on bear to 2 bears by allowing a person to kill one bear during the open hunting season on bear and another by trapping.