

# MAINE STATE LEGISLATURE

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R. 4/15

Date: 4/16/15

(Filing No. H-76)

Majority

INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 214, L.D. 320, Bill, "An Act Regarding Retrieving Wounded Bear"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Tracking of Wounded Animals with a Leashed Dog'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §11109, sub-§3, ¶N, as amended by PL 2005, c. 12, Pt. III, §4, is repealed.

Sec. 2. 12 MRSA §11111, as enacted by PL 2003, c. 655, Pt. B, §117 and affected by §422, is repealed and the following enacted in its place:

§11111. Tracking wounded animals with a leashed dog

1. Permit required. Except as provided in section 12862 or otherwise authorized pursuant to this Part, a person may not use a leashed dog to track a wounded animal without a valid permit issued pursuant to this section. For purposes of this section, "wounded animal" means a lawfully wounded bear, deer or moose.

2. Eligibility; license fee. A person who holds a valid big game hunting license may obtain from the commissioner a permit to use a leashed dog to track a wounded animal. The fee for a 3-year permit to use a leashed dog to track a wounded animal is \$81.

3. Dog tracking services. A person who holds a valid permit issued pursuant to this section may charge a fee for dog tracking services. Notwithstanding section 10001, subsection 28, a person is not a guide if the only services that person charges a fee for are dog tracking services pursuant to this subsection.

4. Penalties. Each day a person violates subsection 1, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable permit fee must be imposed.

COMMITTEE AMENDMENT

1 5. Tracking a wounded animal after legal hunting hours. Notwithstanding  
2 sections 11205 and 11206, a person who holds a valid permit issued pursuant to this  
3 section may use a leashed dog to track a wounded animal outside of legal hunting hours.

4 6. Rules. The commissioner may adopt rules to implement the provisions of this  
5 section, which may include, but are not limited to, training requirements, the type and  
6 number of dogs used, leash requirements and the time and manner in which a wounded  
7 animal may be tracked and dispatched. Rules adopted pursuant to this subsection are  
8 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

9 **Sec. 3. 12 MRSA §11214, sub-§1, ¶¶K to M,** as enacted by PL 2003, c. 414, Pt.  
10 A, §2 and affected by c. 614, §9, are amended to read:

11 K. Use a dog to hunt deer or moose, except as provided in section 11109, subsection  
12 ~~3,~~ paragraph N 11111 or 12862;

13 L. Use an artificial light, snare, trap or set gun to hunt deer or moose. This  
14 paragraph does not affect or restrict the legitimate possession and sale of flashlights  
15 or the lawful use of an artificial light to aid in the tracking of a wounded animal  
16 pursuant to section 11111 or 12862;

17 M. Use artificial lights between 1/2 hour after sunset and 1/2 hour before sunrise the  
18 next day to illuminate, jack, locate, attempt to locate or show up wild animals or wild  
19 birds from September 1st to December 15th of each calendar year. This paragraph  
20 does not affect chapter 921, or any rule issued in accordance with section 10104,  
21 subsection 1 or the lawful use of an artificial light to aid in the tracking of a wounded  
22 animal pursuant to section 11111 or 12862;

23 **Sec. 4. 12 MRSA §11225,** as enacted by PL 2007, c. 168, §6, is repealed.

24 **Sec. 5. 12 MRSA §12862** is enacted to read:

25 **§12862. Retrieval of wounded or killed bear, deer or moose after hours**

26 Notwithstanding sections 11205, 11206 and 11111, the commissioner may authorize  
27 a person licensed to guide hunters under section 12853 whose client during a guided hunt  
28 wounds or kills a bear, deer or moose to track and dispatch that animal outside of legal  
29 hunting hours. A licensed guide authorized to track a wounded animal pursuant to this  
30 section may use one leashed dog for tracking purposes. The commissioner may place  
31 conditions and restrictions on tracking activities conducted pursuant to this section to  
32 ensure its proper administration and the humane treatment of a wounded animal.'

33 **SUMMARY**

34 Current law provides for a license to use leashed dogs to track wounded animals and  
35 allows a person who holds such a license to provide dog tracking services to others for a  
36 fee without being licensed as a guide. This amendment consolidates those provisions and  
37 makes the following changes.

38 1. It converts the license to use leashed dogs to track wounded animals from an  
39 annual license for \$27 to a 3-year permit for \$81.





# 127th MAINE LEGISLATURE

LD 320

LR 900(02)

## An Act Regarding Retrieving Wounded Bear

Fiscal Note for Bill as Amended by Committee Amendment  
Committee: Inland Fisheries and Wildlife  
Fiscal Note Required: Yes

*A(H-76)*

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### Fiscal Note

Minor cost increase - General Fund  
Minor revenue impact - General Fund

### Correctional and Judicial Impact Statements

Potential increase in Class E crimes;  
The collection of additional fines may also increase General Fund revenue by minor amounts.

### Fiscal Detail and Notes

Any additional loss of revenue to the Department of Inland Fisheries and Wildlife from eliminating the \$27 annual license to use leashed dogs to track certain animals and replacing it with an \$81 3-year permit for those holding a big game hunting license are expected to be minor and can be absorbed within existing budgeted resources.