

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 887

H.P. 606

House of Representatives, March 12, 2015

An Act To Prohibit Hunting Bear Using Dogs and Trapping Bear

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

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative HARLOW of Portland.

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

2 **Sec. 1. 12 MRSA §10260**, as enacted by PL 2007, c. 168, §1 and affected by §8,
3 is amended to read:

4 **§10260. Black Bear Research Fund**

5 The Black Bear Research Fund, referred to in this section as "the fund," is established
6 within the department as a nonlapsing fund to be used by the commissioner to fund or
7 assist in funding studies related to the management of black bears. Revenue from the
8 nonresident late season bear hunting permit under section 11151-A ~~and the bear trapping~~
9 ~~permit under 12260-A~~ must be deposited in the fund. The commissioner may accept and
10 deposit into the fund monetary gifts, donations or other contributions from public or
11 private sources for the purposes specified in this section. The fund must be held separate
12 and apart from all other money, funds and accounts.

13 **Sec. 2. 12 MRSA §10902, sub-§6, ¶E**, as repealed and replaced by PL 2011, c.
14 691, Pt. A, §7, is amended to read:

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

17 **Sec. 3. 12 MRSA §11109, sub-§3, ¶N**, as amended by PL 2005, c. 12, Pt. III, §4,
18 is further amended to read:

19 N. A license to use leashed dogs to track wounded animals, which permits a person
20 to use one or more leashed dogs to track a lawfully wounded deer; ~~or moose or bear~~,
21 is \$27.

22 **Sec. 4. 12 MRSA §11111**, as enacted by PL 2003, c. 655, Pt. B, §117 and affected
23 by §422, is amended to read:

24 **§11111. Tracking wounded animals with leashed dogs; fee for services**

25 A person who holds a valid license issued under section 11109, subsection 3,
26 paragraph N to use leashed dogs to track wounded ~~bear~~, deer or moose may charge a fee
27 for dog tracking services. Notwithstanding section 10001, subsection 28, a person is not a
28 guide if the only services that person charges a fee for are dog tracking services pursuant
29 to this section.

30 **Sec. 5. 12 MRSA §11151, sub-§1**, as affected by PL 2003, c. 614, §9 and
31 amended by c. 655, Pt. B, §118 and affected by §422, is further amended to read:

32 **1. Permit required.** Except as otherwise authorized pursuant to this Part, a person
33 may not hunt for bear without a valid permit from the first Monday preceding September
34 1st to the day preceding the open firearm season on deer. ~~This section does not apply to~~
35 ~~trapping for bear.~~

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

4 **Sec. 6. 12 MRSA §11217, sub-§2, ¶A**, as repealed and replaced by PL 2013, c.
5 333, §4, is amended to read:

6 A. A person who has lawfully killed ~~or trapped~~ and registered a bear may sell,
7 without a hide dealer's license, only the hide, head, teeth, claws not attached to the
8 paws and gall bladder of that animal.

9 **Sec. 7. 12 MRSA §11302**, as amended by PL 2013, c. 280, §7, is repealed.

10 **Sec. 8. 12 MRSA §11302-A** is enacted to read:

11 **§11302-A. Hunting bear with dogs prohibited**

12 **1. Prohibition.** A person may not hunt bear with the use of dogs unless permitted by
13 the commissioner for the purpose of hunting nuisance bears.

14 **2. Penalty.** A person who violates this section commits a Class E crime.

15 **Sec. 9. 12 MRSA §11304, first ¶**, as enacted by PL 2003, c. 414, Pt. A, §2 and
16 affected by c. 614, §9, is amended to read:

17 A person may not, without the permission of the person conducting the hunt, kill or
18 wound a bear that is treed ~~or held at bay by another person's dog or dogs~~.

19 **Sec. 10. 12 MRSA §11351, sub-§1**, as amended by PL 2011, c. 309, §2, is
20 further amended to read:

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

24 **Sec. 11. 12 MRSA §12051, sub-§1, ¶C**, as repealed and replaced by PL 2013, c.
25 588, Pt. A, §16, is repealed.

26 **Sec. 12. 12 MRSA §12204, sub-§7**, as enacted by PL 2011, c. 51, §1, is repealed.

27 **Sec. 13. 12 MRSA §12260**, as amended by PL 2011, c. 253, §26 and c. 309, §§5
28 and 6, is repealed.

29 **Sec. 14. 12 MRSA §12260-A**, as enacted by PL 2007, c. 168, §7 and affected by
30 §8, is repealed.

31 **Sec. 15. 12 MRSA §12260-B** is enacted to read:

