

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

‘**Sec. 1. 12 MRSA §10260** is enacted to read:

§ 10260. Black Bear Research Fund

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

Sec. 2. 12 MRSA §11109, sub-§3, ¶I, as amended by PL 2005, c. 12, Pt. III, §4, is further amended to read:

I. A nonresident big game hunting license, which permits hunting of all legal species including deer and bears subject to the permit requirements in chapter 915, subchapter 3, is \$102.

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

L. An alien big game hunting license, which permits hunting of all legal species including deer and bears subject to the permit requirements in chapter 915, subchapter 3, is \$127.

Sec. 4. 12 MRSA §11151-A is enacted to read:

§ 11151-A. Nonresident late season bear hunting permit

1. Permit required. Except as otherwise authorized pursuant to this Part or for a nonresident who holds a valid bear hunting permit under section 11151, a nonresident may not hunt for bear during the regular firearm season on deer under section 11401 without a valid permit issued pursuant to this section.

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

2. Eligibility; nonresident late season bear hunting permit. A person who possesses a valid nonresident license to hunt big game may obtain a permit to hunt for bear from the commissioner or the commissioner's authorized agent.

3. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a nonresident late season bear hunting permit to an eligible person. The annual fee for each permit issued is \$40.

Sec. 5. 12 MRSA §11224 is enacted to read:

§ 11224. Waste of game

1. Prohibition. A person may not waste a wild bird or wild animal that has been wounded or killed by that person while hunting. For purposes of this section, "waste" means to intentionally leave a wounded or killed animal in the field or forest without making a reasonable effort to retrieve and render it for consumption or use.

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

Sec. 6. 12 MRSA §11225 is enacted to read:

§ 11225. Retrieval of wounded or killed big game after hours

Notwithstanding section 11109, subsection 3, paragraph N or section 11206, a person licensed to guide hunters under section 12853 whose client during a guided hunt wounds or kills a bear, deer or moose may track and dispatch that animal outside of legal hunting hours.

Sec. 7. 12 MRSA §12260-A is enacted to read:

§ 12260-A. Bear trapping permit

1. Permit required. Except as otherwise authorized pursuant to this Part a person may not trap for bear without a valid bear trapping permit during the open bear trapping season under section 12260, subsection 1.

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

2. Eligibility; trapping license required. A person who possesses a valid trapping license may obtain a permit to trap bear from the commissioner or the commissioner's authorized agent.

3. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a bear trapping permit to an eligible person. The annual fee for each permit issued is \$27 for residents and \$67 for nonresidents.

Sec. 8. Effective date. Those sections of this Act that enact the Maine Revised Statutes, Title 12, sections 10260, 11151-A and 12260-A and that amend section 11109, subsection 3, paragraph I and section 11109, subsection 3, paragraph L take effect January 1, 2008.'

SUMMARY

This amendment replaces the bill and does the following:

1. It establishes the Black Bear Research Fund to fund research regarding the management of black bear;
2. It requires nonresident hunters to obtain a nonresident late season bear hunting permit to hunt bear during the regular firearm season on deer if that person does not possess a regular season bear hunting permit. The fee for the permit is \$40;
3. It creates a new bear trapping permit. The fee for the permit is \$27 for residents and \$67 for nonresidents;
4. It prohibits the intentional waste of wounded or killed game animals;
5. It authorizes a guide to dispatch a client's wounded or killed bear, deer or moose after legal hunting hours; and
6. It provides an effective date of January 1, 2008 for those provisions regarding the Black Bear Research Fund and bear hunting and trapping.

FISCAL NOTE REQUIRED
(See attached)