

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE

—  
H.P. 392 - L.D. 547

**An Act Regarding Nuisance Beavers**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation must take effect in time for the 2021 growing season; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

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

**2. Beaver.** ~~A Except as provided in paragraph A, a person may not take or kill beaver under sections 12401 and 12402. The commissioner may cause agents of the department to take nuisance beaver at any time.~~

A. In accordance with section 10105, subsection 1, the commissioner may at any time authorize a landowner, a person on behalf of the landowner or an agent of the department to take or kill nuisance beaver.

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

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.