

§12260. Trapping bear

1. Open and closed season. There is an open season on trapping bear from September 1st to October 31st annually.

A. The commissioner may shorten the open season on bear in any part of the State as long as:

(1) The demarcation of the areas with a shortened season follows recognizable physical boundaries such as rivers and railroad rights-of-way; and

(2) The decision is made and published prior to February 1st of any year. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

B. The commissioner may terminate the open season on bear at any time in any part of the State if, in the commissioner's opinion, an immediate emergency action is necessary due to adverse weather conditions or severe hunting or trapping pressure. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

[PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

2. Unlawful trapping of bear. A person may not catch a bear in a trap and cause or allow another person to kill or register that bear. A person who violates this subsection commits a Class E crime.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §222 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

3. Setting bear traps. Setting traps for bear is governed by this subsection.

A. A person may use a cable trap with a closing diameter of not less than 2 1/2 inches to trap bear in the State during the open season on bear. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

B. A person may not set a bear trap other than a cable trap or a cage-type trap as authorized by the commissioner. [PL 2011, c. 253, §26 (AMD).]

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

[PL 2011, c. 253, §26 (AMD).]

4. Trapping bear after having killed one.

[PL 2021, c. 100, §8 (RP); PL 2021, c. 100, §13 (AFF).]

5. Exceeding bag limit on bears.

[PL 2021, c. 100, §9 (RP); PL 2021, c. 100, §13 (AFF).]

6. Trapping bear near dumps. Trapping bear near dumps is governed by this subsection.

A. The commissioner, or the commissioner's agent, shall establish a line of demarcation at least 500 yards from sites permitted or licensed for the disposal of solid waste. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §223 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person may not trap within the demarcation area established under paragraph A. The commissioner, or the commissioner's agent, is exempt from this prohibition for the purpose of live trapping of nuisance bears.

(1) A person who violates this paragraph commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates subparagraph (1) after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [RR 2021, c. 2, Pt. A, §22 (COR).]

[RR 2021, c. 2, Pt. A, §22 (COR).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B222-224 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2011, c. 253, §26 (AMD). PL 2011, c. 309, §§5, 6 (AMD). PL 2021, c. 100, §§8, 9 (AMD). PL 2021, c. 100, §13 (AFF). RR 2021, c. 2, Pt. A, §22 (COR).

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