

SB 56-FN – AS INTRODUCED

2013 SESSION

13-0862

10/01

SENATE BILL        **56-FN**

AN ACT            prohibiting the taking of bear from baited areas.

SPONSORS:        Sen. Forrester, Dist 2; Rep. Kidder, Merr 5

COMMITTEE:      Energy and Natural Resources

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ANALYSIS

This bill prohibits the practice of baiting for the taking of bear, and also prohibits feeding bear with foods known to be attractive to bear. The bill allows the executive director of fish and game to issue special permits using baiting.

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Explanation:      Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struck through.~~]  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT prohibiting the taking of bear from baited areas.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Fish and Game; Baiting Bear Prohibited. Amend RSA 207:3-d, I to read as follows:

2 I. The executive director shall adopt rules, pursuant to RSA 541-A, relative to the opening  
3 and closing of the season for the practice of baiting for coyote, furbearing animals, game birds, or  
4 game animals with the exception of gray squirrel; **provided, that no person shall be permitted to**  
5 **engage in the act of baiting for bear, as defined in RSA 208:22-a, I, or shall knowingly take**  
6 **bear from a baited area.**

7 2 Wild Black Bear. Amend RSA 208:22, III-V to read as follows:

8 III. Dogs shall not be trained or used for taking bear from baited areas [~~after a date as~~  
9 ~~determined by the executive director in a rule adopted pursuant to RSA 541-A~~].

10 IV. [Repealed.]

11 V. Wild black bear may be taken by the aid and use of dogs, as permitted pursuant to  
12 RSA 208:22, I; by firearms; or by bow and arrow of at least 40 pound pull. No person shall take bear  
13 by the aid or use of a jack or artificial light, trap, snare, or set gun or .22 or smaller caliber rimfire  
14 firearm, [~~unless otherwise provided in this section~~] **or by baiting as provided in RSA 208:22-a, I.**

15 3 New Section; Baiting Bear Prohibited. Amend RSA 208 by inserting after section 22 the  
16 following new section:

17 208:22-a Baiting Bear Prohibited.

18 I. No person shall place bait for the taking of bear, or shall knowingly take bear from a  
19 baited area; provided that the executive director may grant a special permit for scientific purposes,  
20 animal damage control, or for any other purpose, allowing such baiting, at the discretion of the  
21 executive director. For purposes of this paragraph, “baiting” means placing salt, fruit, nuts, grain, or  
22 other foods known to be attractive to bear. Nothing in this paragraph shall prohibit the taking of  
23 bear from an observation stand or blind overlooking standing crops, foods that have been left as a  
24 result of normal agricultural operations, or as a result of a natural occurrence.

25 II. No person shall feed bear by placing salt, fruit, nuts, grain, or other foods known to be  
26 attractive to bear during any open season for the taking of bear. This paragraph shall not prohibit  
27 normal agricultural and forest practices.

28 4 Effective Date. This act shall take effect upon its passage.

**SB 56 FISCAL NOTE**

AN ACT prohibiting the taking of bear from baited areas.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, **as introduced**, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2013 through 2017.