

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 445

H.P. 321

House of Representatives, February 16, 2021

An Act To Allow Deer Baiting by Hunters

Received by the Clerk of the House on February 11, 2021. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LYFORD of Eddington.

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

2 **Sec. 1. 12 MRSA §10902, sub-§7-C**, as amended by PL 2019, c. 630, §2, is further
3 amended to read:

4 **7-C. Hunting deer over bait.** A hunting license of a person adjudicated of placing or
5 hunting over bait in violation of section 4452 11452-A, subsection 1, 2 or 3 must be
6 revoked, and that person is ineligible to obtain a hunting license as follows:

7 A. For a first offense, for a period of one year from the date of adjudication; and

8 B. For a 2nd offense, for a period of 2 years from the date of adjudication.

9 **Sec. 2. 12 MRSA §11452**, as amended by PL 2019, c. 630, §3, is repealed.

10 **Sec. 3. 12 MRSA §11452-A** is enacted to read:

11 **§11452-A. Deer baiting**

12 **1. Placing of deer bait.** During an open season on deer, a person may not place bait
13 to hunt deer unless:

14 A. The person holds a valid license to hunt deer issued under section 11109 and a
15 permit to place bait to hunt deer issued by the department in accordance with rules
16 adopted by the department;

17 B. In addition to the fee required for a license under section 11109, the person pays a
18 fee of \$5 to the department for each bait site established by the person; and

19 C. The person complies with the provisions of section 11227, except as otherwise
20 provided in this section.

21 **2. Hunting over bait.** A person may not hunt over bait unless the person complies
22 with the provisions of subsection 1.

23 **3. Hunting over another's bait.** Notwithstanding section 11227, subsection 3, a
24 person may not hunt at a bait site established by another person.

25 **4. Penalty.** A person who violates this section commits a civil violation for which a
26 fine of not less than \$500 nor more than \$1,000 may be adjudged.

27 **5. Rules.** The department shall adopt rules to implement this section. Rules adopted
28 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
29 subchapter 2-A.

30 For the purposes of this section, "bait" has the same meaning as in section 11227,
31 subsection 1, paragraph A and "bait site" has the same meaning as in section 11227,
32 subsection 1, paragraph B.

33 **SUMMARY**

34 This bill authorizes the baiting of deer by licensed hunters.