

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1068

S.P. 437

In Senate, March 7, 2023

### **An Act to Ban the Hunting of Animals in Enclosed Areas**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.  
Cosponsored by Representative DOUDERA of Camden and  
Representatives: DODGE of Belfast, SAYRE of Kennebunk, WILLIAMS of Bar Harbor.

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

2 **Sec. 1. 7 MRSA §1332**, as amended by PL 2009, c. 249, §1, is further amended to  
3 read:

4 **§1332. Animal Industry Fund**

5 The Treasurer of State shall establish a separate account known as the Animal Industry  
6 Fund. This fund does not lapse but must be carried forward. ~~Except as provided in section~~  
7 ~~1346, license~~ License fees collected under section 1333, ~~subsection 3 and license and~~  
8 ~~tagging fees collected under section 1342, subsections 3 and 4 and section 1342-A~~ must be  
9 deposited in the account. Funds from this account may be used to pay for administrative  
10 costs associated with licenses issued under section 1333, ~~1342 and 1342-A~~, tags  
11 ~~issued under section 1342~~ and other costs associated with administration and enforcement  
12 of this chapter ~~and chapter 202-A~~.

13 **Sec. 2. 7 MRSA §1333, sub-§2**, as enacted by PL 2003, c. 386, §6, is amended to  
14 read:

15 **2. License.** The commissioner may issue a license for the propagation, possession,  
16 purchase or sale of cervids. A holder of a license issued pursuant to this subsection may  
17 raise cervids at any season of the year. The fee for a license is \$20 a year. ~~Except as~~  
18 ~~provided in section 1346, a~~ A license fee must be deposited in the Animal Industry Fund  
19 established in section 1332.

20 **Sec. 3. 7 MRSA c. 202-A**, as amended, is repealed.

21 **Sec. 4. 7 MRSA §1751, first ¶**, as amended by PL 2005, c. 146, §1, is further  
22 amended to read:

23 As used in this chapter and chapters 201, 202, ~~202-A~~, 207, 301 and 305, unless the  
24 context otherwise indicates, the following words have the following meanings.

25 **Sec. 5. 7 MRSA §1751, sub-§2**, as amended by PL 2003, c. 386, §13, is further  
26 amended to read:

27 **2. Domestic animals.** "Domestic animals" means cattle, equines, goats, sheep, swine,  
28 cats, dogs, domesticated cervids or other domesticated animals; ~~large game as defined in~~  
29 ~~section 1341, subsection 5; and poultry.~~

30 **Sec. 6. 7 MRSA §1752**, as amended by PL 2003, c. 386, §14, is further amended to  
31 read:

32 **§1752. Rules**

33 The commissioner shall adopt rules that are necessary for the enforcement of chapters  
34 201, 202, ~~202-A~~, 207, 301, 303 and 305. Rules adopted pursuant to this section are routine  
35 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

36 **Sec. 7. 7 MRSA §4011, sub-§1, ¶G**, as amended by PL 2013, c. 115, §15, is further  
37 amended to read:

38 G. Hunts, traps or sells for the purpose of hunting any animal, except as permitted  
39 pursuant to ~~chapter 202-A~~ and Title 12, Part 13, and excluding humane trapping of  
40 animals for population control efforts or animal control pursuant to this Part;

1           **Sec. 8. 7 MRSA §4015, sub-§5**, as amended by PL 2011, c. 76, §2, is further  
2 amended to read:

3           **5. Livestock.** Livestock must be provided with shelter suitable for the health of the  
4 animal. Except as provided in subsection 5-A, livestock must have access to a constructed  
5 or natural shelter that is large enough to accommodate all livestock comfortably at one  
6 time. The shelter should be well drained and protect the livestock from direct sun, rain,  
7 wind and other inclement weather. Notwithstanding this subsection, shelter for equines  
8 must be provided in accordance with subsection 2, paragraph B, subparagraph (1). ~~For~~  
9 ~~purposes of this subsection, "livestock" includes large game as defined in section 1341,~~  
10 ~~subsection 5 kept at a licensed commercial large game shooting area as defined in section~~  
11 ~~1341, subsection 1.~~

12           **Sec. 9. 12 MRSA §11229** is enacted to read:

13 **§11229. Hunting in an enclosed area**

14           **1. Prohibition.** A person may not instigate, promote, participate in, aid or abet, as a  
15 principal, agent, employee, participant or spectator, participate in the earnings from or  
16 intentionally maintain or allow any place to be used for the shooting, killing or wounding  
17 with a firearm or a deadly weapon of an animal that is confined within artificial boundaries  
18 or tied, staked out, caged or otherwise intentionally restrained, regardless of the animal's  
19 size.

20           **2. Penalty.** A person who violates subsection 1 commits a Class E crime.

21           **Sec. 10. 17 MRSA §1031, sub-§1, ¶G**, as amended by PL 2013, c. 115, §16, is  
22 further amended to read:

23           G. Hunts, traps or sells for the purpose of hunting any animal, except as permitted  
24 pursuant to ~~Title 7, chapter 202-A and~~ Title 12, Part 13, and excluding humane trapping  
25 of animals for population control efforts or animal control under Title 7, Part 9.  
26 Violation of this paragraph is a Class D crime;

27           **Sec. 11. 17 MRSA §1037, sub-§5**, as amended by PL 2011, c. 76, §5, is further  
28 amended to read:

29           **5. Livestock.** Livestock must be provided with shelter suitable for the health of the  
30 animal. Except as provided in subsection 5-A, livestock must have access to a constructed  
31 or natural shelter that is large enough to accommodate all livestock comfortably at one  
32 time. The shelter should be well drained and protect the livestock from direct sun, rain,  
33 wind and other inclement weather. Notwithstanding this subsection, shelter for equines  
34 must be provided in accordance with subsection 2, paragraph B, subparagraph (1). ~~For~~  
35 ~~purposes of this subsection, "livestock" includes large game as defined in Title 7, section~~  
36 ~~1341, subsection 5 kept at a licensed commercial large game shooting area as defined in~~  
37 ~~Title 7, section 1341, subsection 1.~~

38 **SUMMARY**

39           This bill prohibits hunting animals in an enclosed area and specifies that a person who  
40 violates the prohibition commits a Class E crime. The bill also repeals the law that permits  
41 the establishment, operation and use of commercial large game shooting areas.