

§11152. Antlerless deer; regulation and authority to issue permits

1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not hunt antlerless deer as authorized in this section unless that person has a valid permit issued under this section or is hunting in an area that is designated by rule as open to the hunting of antlerless deer or either-sex deer without an antlerless deer permit.

A. Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed. [PL 2007, c. 463, §3 (AMD).]

B. [PL 2007, c. 463, §3 (RP).]
[PL 2021, c. 599, §11 (AMD).]

1-A. Antlerless deer in wildlife management districts. Except as otherwise provided in this Part, a person may not hunt or possess an antlerless deer in a wildlife management district or a portion of a wildlife management district in which the taking of antlerless deer is not allowed. A person may possess in one of those districts an antlerless deer that has been lawfully taken in another district where antlerless deer may be legally taken.

A person that violates this subsection commits a Class D crime for which a minimum fine of \$1,000 must be imposed, and the court shall impose a sentencing alternative involving a term of imprisonment of at least 3 days, none of which may be suspended.
[PL 2021, c. 599, §11 (AMD).]

2. Authority to regulate taking of antlerless deer. The commissioner may regulate the taking of antlerless deer by rule within an area of the State as necessary to maintain deer populations in balance with available habitat if the demarcation of each area follows recognizable physical boundaries such as rivers, roads and railroad rights-of-way. This subsection does not apply to a person with a special antlerless deer permit under subsection 7.

A. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §120 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §120 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]
[PL 2021, c. 599, §11 (AMD).]

2-A. Authority to regulate taking of antlerless deer in certain areas within wildlife management districts where no permits are issued.
[PL 2021, c. 599, §11 (RP).]

3. Rulemaking. The commissioner may adopt rules necessary for the administration, implementation, enforcement and interpretation of this section, except that the commissioner is not authorized to establish an antlerless deer permit lottery unless otherwise specified in this section. If the commissioner establishes by rule a lottery for issuing antlerless deer permits to eligible persons, the commissioner may also allow for the direct purchase of additional antlerless deer permits in certain wildlife management districts or portions of wildlife management districts as the commissioner finds necessary to maintain balanced deer populations. The commissioner may appoint clerks or agents under section 10801 to process applications for permits issued under this section. A clerk or agent appointed by the commissioner to process applications shall charge a fee of \$2 for each application processed by that clerk or agent under this section. Rules adopted by the commissioner that provide for permits to be issued to nonresident hunters must provide that:

A. [PL 2011, c. 533, §3 (RP).]

B. No more than 15% of the antlerless deer permits issued in any one district or in any one zone may be issued to nonresident hunters. [PL 2017, c. 427, §10 (AMD); PL 2017, c. 427, §19 (AFF).]

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2021, c. 599, §11 (AMD).]

4. Landowner consideration. An antlerless deer permit lottery adopted by the commissioner pursuant to this section may include a provision giving special consideration to landowners who keep their lands open to hunting by the public. As part of the special consideration to those landowners, the commissioner shall provide at least 25% of the available antlerless deer permits in a wildlife management district to eligible landowners that apply for an antlerless deer permit in that district. Any 2 or more areas of land owned by the same person that are open for hunting and that would be contiguous except for being divided by one or more roads are considered contiguous for the purposes of determining landowner eligibility for special consideration under this subsection.

[PL 2021, c. 599, §11 (AMD).]

5. Hunter permit transfers.

[PL 2021, c. 599, §11 (RP).]

5-A. Permit transfer to junior hunter.

[PL 2021, c. 599, §11 (RP).]

6. Transfer of antlerless deer permit to person with ambulatory disabilities.

[PL 2013, c. 322, §2 (RP).]

7. Special antlerless deer permit. The commissioner shall issue a special antlerless deer permit to an eligible person who has lost all or part of one or more lower limbs, not including a partial foot amputation, or is suffering from the permanent loss of use of both lower limbs. The commissioner shall issue a permit upon application and after the applicant verifies that person's ambulatory disability with a letter signed by a physician confirming the person's condition. A person who is issued a special antlerless deer permit under this subsection may take an antlerless deer in any part of the State open to the taking of antlerless deer pursuant to subsection 3.

[PL 2013, c. 538, §23 (AMD).]

8. Junior hunter consideration. An antlerless deer permit lottery adopted by the commissioner pursuant to this section may include a provision giving special consideration to persons with a valid junior hunting license. As part of the special consideration to junior hunters, the commissioner shall provide at least 25% of the available antlerless deer permits in a wildlife management district to persons with a valid junior hunting license who apply for an antlerless deer permit in that district.

[PL 2021, c. 599, §11 (AMD).]

9. Fee. The fee for an antlerless deer permit is \$12 for residents and nonresidents.

[PL 2021, c. 599, §11 (NEW).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B119-123 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2005, c. 142, §§1,2 (AMD). PL 2005, c. 477, §5 (AMD). PL 2007, c. 463, §§3, 4 (AMD). PL 2007, c. 492, §4 (AMD). PL 2009, c. 186, §3 (AMD). PL 2011, c. 253, §18 (AMD). PL 2011, c. 533, §§3, 4 (AMD). PL 2013, c. 213, §3 (AMD). PL 2013, c. 322, §§1, 2 (AMD). PL 2013, c. 408, §13 (AMD). PL 2013, c. 538, §23 (AMD). RR 2015, c. 1, §7 (COR). PL 2015, c. 219, §1 (AMD). PL 2017, c. 205, §§8, 9 (AMD). PL 2017, c. 427, §10 (AMD). PL 2017, c. 427, §19 (AFF). PL 2019, c. 324, §2 (AMD). PL 2021, c. 599, §11 (AMD).

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