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Date: (Filing No. H- )

**INLAND FISHERIES AND WILDLIFE**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 442, L.D. 559, Bill, “An Act To Protect Owners of Private Property against Trespass”

Amend the bill by inserting after the title and before the enacting clause the following:

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** approximately 90% of the land used by the public for outdoor recreational activities is privately owned; and

**Whereas,** this legislation needs to take effect prior to the next hunting season to enhance landowner relations; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 12 MRSA §11227, sub-§2,** as enacted by PL 2009, c. 70, §1, is amended to read:

**2. Placement of bait.** A person may not place or hunt over bait ~~unless the~~ without the oral or written permission of the landowner or the landowner's agent. The bait site is must be plainly labeled with a 2-inch-by-4-inch tag identifying the name and address of the person establishing the bait site. This subsection does not apply to bear baiting, which is governed by section 11301.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

**COMMITTEE AMENDMENT**

1 B. A person who violates this subsection after having been adjudicated as having  
2 committed 3 or more civil violations under this Part within the previous 5-year period  
3 commits a Class E crime.

4 **Sec. 2. 12 MRSA §11228** is enacted to read:

5 **§11228. Hunting with dogs**

6 **1. Collar required.** A person may not hunt with a dog in pursuit of bear, coyote or  
7 bobcat unless the dog has a collar that legibly provides the name, telephone number and  
8 address of the owner of that dog.

9 A. A person who violates this subsection commits a civil violation for which a fine  
10 of not less than \$100 or more than \$500 may be adjudged.

11 B. A person who violates this subsection after having been adjudicated as having  
12 committed 3 or more civil violations under this Part within the previous 5-year period  
13 commits a Class E crime.

14 **2. Limit on number of dogs.** A person or persons may not use more than 6 dogs at  
15 any one time to hunt coyotes or bobcats. A person who violates this subsection commits  
16 a Class E crime.

17 **3. Night hunting with dogs.** A person may not use a dog to hunt coyotes during the  
18 period from 30 minutes after sunset to 30 minutes before sunrise. A person who violates  
19 this subsection commits a Class E crime.

20 **Sec. 3. 12 MRSA §11301, sub-§1**, as affected by PL 2003, c. 614, §9 and  
21 amended by c. 655, Pt. B, §156 and affected by §422, is further amended to read:

22 **1. Bear baiting.** A person may not use bait to hunt or trap black bear, unless:

23 A. The bait is placed at least 50 yards from a travel way that is accessible by a  
24 conventional 2-wheel-drive or 4-wheel-drive vehicle;

25 B. The stand, blind or bait area is plainly labeled with a 2-inch-by-4-inch tag with  
26 the name and address of the baiter;

27 C. The bait is placed more than 500 yards from a site permitted or licensed for the  
28 disposal of solid waste or a campground;

29 D. The bait is placed more than 500 yards from an occupied dwelling, unless written  
30 permission is granted by the owner or lessee;

31 E. The bait is placed not more than 30 days before the opening day of the season and  
32 not after October 31st;

33 F. The bait areas will be cleaned up by November 10th, as defined by the state litter  
34 laws; and

35 G. The person hunting from a stand or blind of another person has permission of the  
36 owner of that stand or blind.

37 A person may not use bait to hunt or trap black bear without the oral or written  
38 permission of the landowner.



- 1           6. Adds another method of posting private property to the current method of
- 2 horizontal silver paint stripes by allowing a vertical paint mark with the color and type of
- 3 paint determined by the Department of Conservation, Bureau of Forestry. The
- 4 amendment repeals the current silver paint marking provisions September 12, 2012.