

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 138

H.P. 117

House of Representatives, January 15, 2009

**An Act Regarding the Placement of Bait To Attract Wild Animals
or Birds for Hunting**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SARTY of Denmark.
Cosponsored by Senator COURTNEY of York and
Representatives: BRIGGS of Mexico, CEBRA of Naples, DAVIS of Sangerville, JOHNSON
of Greenville, JOY of Crystal, RICHARDSON of Warren, SHAW of Standish, SYKES of
Harrison.

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

2 **Sec. 1. 12 MRSA §11227** is enacted to read:

3 **§11227. Placement of bait for hunting**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Bait" means any animal or plant or derivative of any animal or plant used to
7 attract or hunt wild animals or wild birds. "Bait" does not include any packaging or
8 container materials that fall within the definition of "litter" under Title 17, section
9 2263, subsection 2.

10 **2. Placement of bait.** A person may not place bait unless:

11 A. The person placing bait has permission of the landowner; and

12 B. The stand, blind or bait area is plainly labeled with a 2-inch-by-4-inch tag with
13 the name and address of the person placing the bait and the name of the landowner.

14 **3. Hunting over bait.** A person may not hunt over bait unless:

15 A. The person hunting over bait has permission of the landowner;

16 B. The stand, blind or bait area is plainly labeled with a 2-inch-by-4-inch tag with
17 the name and address of the person placing the bait and the name of the landowner;
18 and

19 C. The person hunting from any stand or blind overlooking baited areas has the
20 permission of the owner of the stand or blind.

21 **4. Responsibility for cleanup.** A person placing bait and any person hunting over
22 the bait are jointly and severally responsible for ensuring that the bait area is cleaned up
23 within 10 days of the request of the landowner or within 10 days of the close of the
24 season on the specific animal or bird being hunted, whichever comes first.

25 **5. Construction.** Nothing in this section authorizes hunting of wild animals or wild
26 birds that is otherwise prohibited by statute or rule.

27 The requirements of this section are in addition to the requirements of section 11301 for
28 bear baiting.

29 **SUMMARY**

30 This bill will bring Maine's baiting laws into conformity for different species by
31 requiring labeling of bait sites, owner permission and cleanup of bait areas within a
32 specific period of time.