

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 559

H.P. 442

House of Representatives, February 15, 2011

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### An Act To Protect Owners of Private Property against Trespass

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative O'BRIEN of Lincolnville.  
Cosponsored by Representatives: BERRY of Bowdoinham, BLODGETT of Augusta, DILL of Old Town, KUMIEGA of Deer Isle, STEVENS of Bangor, STUCKEY of Portland, WEBSTER of Freeport, WELSH of Rockport.

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

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

4 **2. Placement of bait.** A person may not place bait without written permission of the  
5 landowner or the landowner's agent and unless the bait site is plainly labeled with a 2-  
6 inch-by-4-inch tag identifying the name and address of the person establishing the bait  
7 site.

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

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

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

14 **§11228. Hunting with dogs**

15 **1. Written permission.** A person may not hunt with dogs in pursuit of bears,  
16 coyotes or bobcats on the land of another without written permission from the landowner  
17 or the landowner's agent.

18 **2. Electronic device.** A person may not hunt with dogs in pursuit of bears, coyotes  
19 or bobcats unless the dogs are fitted with an electronic device to transmit the geographic  
20 position of the dogs.

21 **Sec. 3. 12 MRSA §11301, sub-§1, ¶D**, as enacted by PL 2003, c. 414, Pt. A, §2  
22 and affected by c. 614, §9, is amended to read:

23 D. ~~The bait is placed more than 500 yards from an occupied dwelling, unless written~~  
24 Written permission is granted by the property owner or lessee;

25 **Sec. 4. 12 MRSA §12001, sub-§4** is enacted to read:

26 **4. Landowner permission.** A person may not hunt coyotes at night on private  
27 property without possessing written permission from the landowner or landowner's agent.

28 **Sec. 5. 17-A MRSA §402, sub-§4, ¶B**, as enacted by PL 1995, c. 529, §2, is  
29 amended to read:

30 B. Paint markings mean that access is prohibited without permission of the  
31 landowner or the landowner's agent. Paint markings must consist of 2 painted  
32 horizontal lines per tree, post or other object if silver or aluminum in color or one  
33 vertical painted line per tree, post or other object if purple.

34 (1) Each line must be a minimum of 2 inches high and at least as long as the  
35 width of the object, but need not be more than 8 inches long if the line is silver or  
36 aluminum in color.

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(2) Lines must be painted on the side of the tree, post or other object that is visible to a person approaching the restricted property and must be painted within an area 3 feet to 6 feet above ground level if the lines are silver or aluminum in color.

(3) The paint must be silver or aluminum colored or purple as described in this paragraph.

(4) Conspicuous purple paint marks may be placed on trees, posts or stones on the restricted property as long as the marks are vertical lines at least one inch in width and at least 8 inches in length placed so that the bottoms of the marks are not less than 3 feet from the ground or more than 5 feet from the ground at locations that are readily visible to any person approaching the property and no more than 100 feet apart.

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**SUMMARY**

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This bill requires that a hunter get written permission when baiting, night hunting coyotes and hunting bears, coyotes or bobcats with dogs. It also provides another way to conspicuously mark land where permission is required for access.