

MAINE STATE LEGISLATURE

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of S

L.D. 798

(Filing No. S-87)

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 260, L.D. 798, Bill, "An Act Regarding the Baiting of Animals"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 12 MRSA §7458, sub-§9, as enacted by PL 1979, c. 420, §1, is repealed and the following enacted in its place:

9. Illegally baiting deer. A person is guilty of illegally baiting deer if, during any open hunting season on deer, that person:

A. Places salt or any other bait or food in a place to entice deer to that place; or

B. Hunts from an observation stand or blind overlooking salt, grain, fruit, nuts or other foods known to be attractive to deer.

Sec. 2. 12 MRSA §7458, sub-§15, ¶H is enacted to read:

H. Subsection 9, paragraph B does not apply to hunting from an observation stand or blind overlooking:

(1) Standing crops;

(2) Foods that have been left as a result of normal agricultural operations or as a result of natural occurrence; or

(3) Bear bait that has been placed at a bear hunting stand or blind in accordance with section 7451, subsection 3.

COMMITTEE AMENDMENT

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FISCAL NOTE

This bill establishes a new Class E crime. Sentences imposed for Class E offenses must be served in a county jail. The average cost per sentence for a Class E crime is \$4,188 based upon an average length of stay of 67 days. The additional costs to the counties for the housing of each offender sentenced under this new crime will not require reimbursement by the State.

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenues by a minor amount.

The additional enforcement costs can be absorbed by the Department of Inland Fisheries and Wildlife utilizing existing budgeted resources.'

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STATEMENT OF FACT

This amendment, which is the majority report of the Joint Standing Committee on Fisheries and Wildlife, strikes and replaces the bill. The amendment prohibits a person from enticing deer with food during any open deer season. The amendment also prohibits any person from hunting from an observation stand or blind overlooking food that is attractive to deer except that this prohibition does not apply to hunting from a blind or stand overlooking standing crops, food left by agricultural activities, food left by natural occurrence or bear bait placed in accordance with existing laws.

The amendment also adds a fiscal note to the bill.

Reported by the Majority for the Committee on Fisheries and Wildlife. Reproduced and Distributed Pursuant to Senate Rule 12.

(4/27/93)

(Filing No. S-87)