

MAINE STATE LEGISLATURE

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2 Date: 4/8/9

L.D. 138

(Filing No. H-60)

3 **INLAND FISHERIES AND WILDLIFE**

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

5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **124TH LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 117, L.D. 138, Bill, "An Act Regarding
10 the Placement of Bait To Attract Wild Animals or Birds for Hunting"

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

13 'Sec. 1. 12 MRSA §11227 is enacted to read:

14 **§11227. Placement of bait for hunting**

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

17 **A. "Bait" means an animal or plant or a part of an animal or plant used to attract wild**
18 **animals for the purpose of hunting. "Bait" does not include:**

19 **(1) A derivative of an animal or plant in a liquid or paste form, including but not**
20 **limited to urine or commercially prepared lures or scents; or**

21 **(2) Packaging or container materials that fall within the definition of "litter"**
22 **under Title 17, section 2263, subsection 2.**

23 **B. "Bait site" means the place where the bait has been placed and the immediate**
24 **surrounding area.**

25 **2. Placement of bait.** A person may not place bait unless the bait site is plainly
26 labeled with a 2-inch-by-4-inch tag identifying the name and address of the person
27 establishing the bait site.

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

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

1 **3. Hunting over another's bait.** A person may not hunt at a bait site established by
2 another person unless that person has permission from the person that established the bait
3 site.

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

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

9 **4. Bait site cleanup.** A person placing bait may not leave the bait or bait label at
10 the bait site and must clean up the bait site immediately after the landowner requests the
11 removal of that bait or, if not requested by the landowner, within 20 days from the last
12 day the bait site was hunted over by the person that established the bait site.

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

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

18 **5. Litter at bait sites.** A person establishing a bait site under this section is subject
19 to the littering provisions of Title 17, chapter 80.

20 **6. Construction.** Nothing in this section authorizes hunting of wild animals that is
21 otherwise prohibited by law or rule.

22 **7. Applicability.** This section does not apply to:

23 A. Bear baiting under section 11301; or

24 B. Placing of bait on the ice of inland waters.'

25 **SUMMARY**

26 This amendment replaces the bill and does the following.

27 1. It requires a person placing bait to plainly label the bait site with a 2-inch-by-4-

28 inch tag identifying the name and address of the person establishing the bait site.

29 2. It provides that a person may not hunt at a bait site established by another person

30 unless that person has permission from the person that established the bait site.

31 3. It requires the person that established the bait site to remove the bait and the bait

32 label and clean up the bait site after the landowner requests the removal of that bait or

33 within 20 days from the last day the person that established the bait site hunted over that

34 bait.

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The baiting requirements in this amendment do not apply to bear baiting or bait placed on the ice of inland waters.

FISCAL NOTE REQUIRED

(See attached)



Approved: 03/18/09 *MAC*

124th MAINE LEGISLATURE

LD 138

LR 323(02)

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

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes

The collection of additional fines may also increase General Fund revenue by minor amounts.