

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

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

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

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

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

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.

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

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

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.

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

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

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.

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

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

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

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

A. Bear baiting under section 11301; or

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

## SUMMARY

This amendment replaces the bill and does the following.

1. It requires a person placing bait to plainly label the bait site with a 2-inch-by-4-inch tag identifying the name and address of the person establishing the bait site.

2. It provides that a person may not hunt at a bait site established by another person unless that person has permission from the person that established the bait site.

3. It requires the person that established the bait site to remove the bait and the bait label and clean up the bait site after the landowner requests the removal of that bait or within 20 days from the last day the person that established the bait site hunted over that bait.

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)**