

HOUSE BILL 170

M2

5lr0420
CF SB 88

By: **Delegates Beitzel, Adams, Anderton, Arentz, Buckel, Cluster, Impallaria, Jacobs, Mautz, McComas, W. Miller, O'Donnell, Vitale, B. Wilson, and ~~C. Wilson~~ C. Wilson, Cassilly, Flanagan, Fraser-Hidalgo, Otto, and Szeliga**

Introduced and read first time: January 29, 2015

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2015

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Game Birds – Baiting**

3 FOR the purpose of altering the prohibition against a person hunting certain game birds
4 by the aid of baiting or on or over a baited area to require that the person know or
5 reasonably should know that the area is a baited area before a violation occurs; and
6 generally relating to hunting game birds by bait or on or over a baited area.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 10–412
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2014 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Natural Resources**

15 10–412.

16 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) “Baiting” means the placing, exposing, depositing, distributing, or
2 scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed
3 so as to constitute for birds a lure, attraction, or enticement to, on, or over any areas where
4 persons are attempting to hunt them.

5 (3) “Baited area” means any area where shelled, shucked, or unshucked
6 corn, wheat or other grain, salt, or other feed capable of luring, attracting, or enticing birds
7 is directly or indirectly placed, exposed, deposited, distributed, or scattered, and this area
8 remains a baited area for 10 days following complete removal of all corn, wheat or other
9 grain, salt, or other feed.

10 (b) A person may not hunt wetland game birds or upland game birds, except quail
11 and pheasant, by the aid of baiting, or on or over any baited area, **IF THE PERSON KNOWS**
12 **OR REASONABLY SHOULD KNOW THAT THE AREA IS A BAITED AREA.**

13 (c) This section does not prohibit:

14 (1) The hunting of wetland and upland game birds on or over standing
15 crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops
16 properly shocked on the field where grown, or grains found scattered solely as the result of
17 normal agricultural planting or harvesting; and

18 (2) The hunting of all upland game birds on or over any lands where
19 shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed has been
20 distributed or scattered as the result of bona fide agricultural operations or procedures, or
21 as a result of manipulation of a crop or other feed on the land where grown for wildlife
22 purposes. Manipulation for wildlife management purposes does not include the distributing
23 or scattering of grain or other feed once it has been removed from or stored on the field
24 where grown.

25 (d) By rule or regulation, the Department may exempt from this section captive
26 raised mallard ducks which are released on a regulated shooting ground to be shot at
27 immediately after release.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2015.