

SENATE BILL 88

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5lr0835
CF HB 170

By: ~~Senator Astle~~ **Senators Astle, Salling, Bates, and Waugh**

Introduced and read first time: January 26, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 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.

17 (2) “Baiting” means the placing, exposing, depositing, distributing, or
18 scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed

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 so as to constitute for birds a lure, attraction, or enticement to, on, or over any areas where
2 persons are attempting to hunt them.

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

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

11 (c) This section does not prohibit:

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.