

Union Calendar No. 308

105TH CONGRESS
2^D SESSION

H. R. 2863

[Report No. 105-542]

To amend the Migratory Bird Treaty Act to clarify restrictions under that Act on baiting, to facilitate acquisition of migratory bird habitat, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 1997

Mr. YOUNG of Alaska (for himself, Mr. TANNER, Mr. DINGELL, Mr. WELDON of Pennsylvania, and Mr. STEARNS) introduced the following bill; which was referred to the Committee on Resources

MAY 19, 1998

Additional sponsors: Mr. CUNNINGHAM, Mr. HASTINGS of Washington, Mr. PETERSON of Minnesota, Mr. ISTOOK, Mr. HOEKSTRA, Mr. RAMSTAD, Mr. MANZULLO, and Mr. MCINNIS

MAY 19, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on November 6, 1997]

A BILL

To amend the Migratory Bird Treaty Act to clarify restrictions under that Act on baiting, to facilitate acquisition of migratory bird habitat, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Migratory Bird Treaty*
5 *Reform Act of 1998”.*

6 **SEC. 2. ELIMINATING STRICT LIABILITY FOR BAITING.**

7 *Section 3 of the Migratory Bird Treaty Act (16 U.S.C.*
8 *704) is amended—*

9 *(1) by inserting “(a)” after “SEC. 3.”; and*

10 *(2) by adding at the end the following:*

11 *“(b) It shall be unlawful for any person to—*

12 *“(1) take any migratory game bird by the aid of*
13 *baiting, or on or over any baited area, if the person*
14 *knows or reasonably should know that the area is a*
15 *baited area; or*

16 *“(2) place or direct the placement of bait on or*
17 *adjacent to an area for the purpose of causing, induc-*
18 *ing, or allowing any person to take or attempt to take*
19 *any migratory game bird by the aid of baiting on or*
20 *over the baited area.”.*

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