

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

5.  
D. OF R.

STATE OF MAINE  
SENATE  
106TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " A " to S. P. 765, L. D. 2196, Bill, "AN ACT to Correct Errors and Inconsistencies in the Fish and Game Laws."

Amend said Bill by inserting after section 1 the following:

'Sec. 2. R. S., T. 12, § 1960-A, sub-§1, amended. Subsection 1 of section 1960-A of Title 12 of the Revised Statutes, as enacted by section 2 of chapter 231 of the public laws of 1971, is amended to read as follows:

1. Upland game defined. For the purposes of this section, the following shall be considered upland game:

Cottontail Rabbit  
Crow  
Gray Squirrel  
Red Squirrel  
Ring Necked Pheasant  
Ruffed Grouse  
Snowshoe Hare  
Spruce Grouse  
Wild Turkey  
Woodchuck'

Further amend said Bill by inserting after section 4-A the following:

'Sec. 5. R. S., T. 12, §2401, sub-§6, amended. The 2nd sentence of subsection 6 of section 2401 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 16 of the public laws of 1973, is amended to read as follows:

Such stamp shall be issued by the commissioner or his authorized agent at a fee of \$1, 25¢ of which shall be retained by the issuing agent, and shall be exhibited to any warden or employee of the department upon request.'

*(Filing No. S-372)*

Further amend said bill by inserting after section 6 the following:

'Sec. 7. R. S., T. 12, §2452, repealed and replaced. Section 2452 of Title 12 of the Revised Statutes, as amended by section 45 of chapter 425 of the public laws of 1969, is repealed and the following enacted in place thereof:

§2452. Use of poisons

It shall be unlawful to use poisons to kill foxes, dogs or other vertebrate land animals except vermin within a building. Any person who leaves or deposits in any place any poison or poisonous substance or kills by poisoning any fox, dog or other vertebrate land animal except vermin within a building shall be subject to the penalties of section 3060. The commissioner may grant permits to use poison to agents of the U. S. Bureau of Sport Fisheries and Wildlife and to fruit growers and nurserymen for the use of poison in the destruction of rodents. The commissioner may by regulation exempt from this section the control of rats on private premises and in municipal dumping areas as required in Title 30, section 4103. The commissioner or his duly appointed agents may in an emergency use such devices or methods as are necessary for the control of wild dogs or other wild animals when approved by the advisory council.

Whoever violates this section shall be punished by a fine of not less than \$50 nor more than \$200 or by imprisonment for not less than 2 months nor more than 6 months.'

Further amend said Bill by inserting after section 7 the following:

'Sec. 8. R. S., T. 12, §2552, sub-§7, ¶A, amended. Paragraph A of subsection 7 of section 52 of Title 12 of the Revised Statutes, as enacted by chapter 105 of the public laws of 1969 and as repealed and replaced by section 1 of chapter 297 of the public laws of 1973, is amended by adding after the first sentence 2 new sentences to read as follows: *(Filing No. B-372)*

The commissioner may also appoint clerks of towns or other agents to issue said stamp. Any clerk or agent so appointed shall retain 25¢ for each stamp issued.'

Further amend said Bill by striking out all of sections 7 and 8 and renumbering the sections to read consecutively.

Statement of Fact

The purpose of this amendment is:

1. To add "crow" to the list of upland game animals.
2. To permit the issuing agents to be reimbursed for their services in issuing pheasant stamps.
3. To clarify the law relating to the use of poisons.
4. To permit the Commissioner of Inland Fisheries and Game to appoint agents to sell the salmon stamp and be reimbursed for their services.
5. To delete from the original bill the references to open season for Atlantic salmon in the Dennys River, Machias River, Narraguagus River and the Union River.

Reported by the Committee on Fisheries and Wildlife.

Reproduced and distributed pursuant to Senate Rule 11-A.

February 28, 1974. (Filing No. S-372).