

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

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**Legislative Document**

**No. 1518**

S. P. 573

In Senate, April 17, 1963

Reported by Minority from Committee on Legal Affairs. Printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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**AN ACT to Authorize Private Game Preserves.**

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Be it enacted by the People of the State of Maine, as follows:

**R. S., c. 37, §§ 150-B - 150-D, additional.** Chapter 37 of the Revised Statutes, as revised, is amended by adding 3 new sections, to be numbered 150-D to 150-D, to read as follows:

**‘Private Game Preserves.**

**Sec. 150-B. Private game preserves authorized.** Any person, partnership or corporation owning, holding or controlling by lease or otherwise, which possession must be for a term of 5 or more years, any contiguous tract of land having an area of not less than 300 acres and not more than 600 acres, who desires to establish a private hunting preserve to propagate, preserve and hunt thereon game birds shall make application to the Commissioner of Inland Fisheries and Game for a license as provided. Such application shall be made under oath of the applicant or under oath of one of its principal officers if the applicant is a corporation. The application shall be accompanied by a license fee of \$50.

Upon receipt of such application, the commissioner shall cause the proposed tract of land described in such application and the facilities thereon to be inspected. If the commissioner finds that the tract of land contains not less than 300 acres and not more than 600 acres, is contiguous, is not in such proximity to other private game preserves as to unduly restrict the hunting of game birds by the general public, and has the proper requirements for the operation of a private game preserve, that the game birds propagated thereon are not likely to be diseased and a menace to other birds, that the applicant is qualified to instruct in the rules of hunting safety those persons who may be issued permits to hunt

thereon, that the operation of such a property will not work a fraud upon persons who may be issued permits to hunt thereon and that the issuing of a license will otherwise be in the public interest, the commissioner shall approve such application and issue a license for the operation of a private hunting preserve on the tract described in such application with the rights and subject to the limitations contained in sections 150-B to 150-D.

The Commissioner of Inland Fisheries and Game shall, by appropriate regulations, establish minimum requirements for the stocking and propagation of game birds on private game preserves at the expense of the licensees thereof, the banding or marking of game birds so stocked and propagated, the minimum age or ages at which game birds may be liberated thereon, and the ratio of male to female of each species of game birds which may be so liberated thereon.

All licenses shall expire with the calendar year and may be revoked by the commissioner at any time prior thereto for failure to comply with this chapter and with rules and regulations duly adopted by the Department of Inland Fisheries and Game. A licensee who without cause has failed to comply with such minimum requirements for the stocking, propagation and liberation of game birds shall not be entitled to any renewal of his license to operate a private game preserve.

No private game preserve shall be licensed which shall be located within 5 miles of any other private game preserve.

Sec. 150-C. Posting of private game preserves. Upon receipt of a license to operate a private game preserve, the licensee shall promptly post the perimeter of the tract of land described in such license at intervals of not more than 500 feet and at every corner with signs bearing the words, "Private Game Preserve," in letters not less than 3 inches high and bearing such other legend as the commissioner may prescribe. The boundaries of a private game preserve shall be clearly defined by natural or artificial boundries or by signs.

Sec. 150-D. Hunting on private game preserves. No person shall at any time hunt, kill or destroy any wild birds or have in his possession firearms of any description within the limits of any private game preserve, unless he is the licensee thereof or holds a written permit from the licensee thereof, and he then may hunt thereon only during the period September 1st to December 31st of each calendar year and he shall be subject to the limits otherwise provided by law. Any person convicted of violating any provision of this section shall be punished by a fine of not less than \$20 nor more than \$400 and costs, or by an imprisonment for not more than 60 days, or by both.'