

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 178

S. P. 107

In Senate, January 19, 1967

Referred to Committee on Inland Fisheries and Game. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Ross of Piscataquis.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Permitting the Establishment of Commercial Shooting Areas.

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

Sec. 1. R. S., T. 12, c. 320, additional. Title 12 of the Revised Statutes is amended by adding a new chapter 320, to read as follows:

CHAPTER 320

COMMERCIAL SHOOTING AREAS

§ 2471. Licenses; revocation

The Commissioner of Inland Fisheries and Game may issue licenses authorizing the establishment and operation of commercial shooting areas not to exceed 2 in any county. No commercial shooting area shall be located nearer than 5 miles from another commercial shooting area or from a state game preserve. An initial license fee of \$250 shall be paid by the operator of each shooting area and a license fee thereafter of \$100 shall be paid prior to July 1st annually

The commissioner, after hearing, shall have the right to suspend or revoke a license for willful failure to comply with any of the rules and regulations promulgated for the operation of commercial shooting areas.

§ 2472. Boundaries

Each commercial shooting area shall contain not less than 200 acres nor more than 400 acres. The land may be owned or leased by the operator and shall be contiguous. Property bisected by a road or highway shall be considered to be contiguous for purposes of this section. The boundary of each shooting area

shall be marked in such manner as prescribed by the commissioner and shall consist of not less than a single strand of wire and signs posted conspicuously. Such signs shall be of a color, size and wording prescribed by the commissioner and shall be placed not more than 250 feet apart so as to face the outside of the area.

§ 2473. Birds

The only birds that may be shot on a commercial shooting area are pheasants, quail and Chukar partridge. No other game, game birds or migratory birds may be shot on such an area at any time. The commissioner may grant permits to import live pheasants, quail and Chukar partridge. No birds of these species shall be imported without the written permission of the commissioner. Importers shall, when requesting a permit, provide the commissioner with information as to the number of pheasants, quail or Chukar partridge to be imported, and the name and address of the seller. Importers of live pheasants, quail or Chukar partridge shall furnish the commissioner with a statement from an approved veterinarian, the state department of agriculture or the conservation department of the state from which the birds are imported, certifying that they are from flocks which have been tested for infectious or contagious disease and have not been exposed to such disease during the 6 months prior to importation. Such statement shall accompany each request for permission to import live pheasants, quail or Chukar partridge. Upon receipt of shipment, importers of pheasants, quail or Chukar partridge shall attach securely to each bird a metallic seal, the type and design of which shall be designated by the commissioner. Such seal shall remain attached to said birds until they are finally prepared for consumption. Such seal shall be supplied by the department at a cost to be prescribed by the commissioner.

§ 2474. Hunting license

All persons must purchase a special shooting area license issued by the commissioner or his authorized agent at an annual fee of \$5 prior to hunting on a commercial shooting area.

§ 2475. Hunting season

The annual season for commercial shooting areas shall extend from July 1st to November 30th.

§ 2476. Duties of operator

The operator of a commercial shooting area shall maintain a register of the names, addresses and the commercial shooting area license number of all persons shooting on such area, together with the dates when hunting on the area and the number and type of birds killed. Such register shall be open to inspection by representatives of the department.

§ 2477. Guides

Persons employed by the operator of a commercial shooting area for guiding purposes shall be licensed Maine guides. Each shooting area shall have at least one licensed guide.

§ 2470. Schedule of fees

A schedule of fees to be charged by the operator of a shooting area must be approved by the commissioner.

§ 2479. Regulations

The commissioner may at his discretion establish additional regulations as may be deemed necessary for the proper operation of a shooting area.

§ 2480. Enforcement

Enforcement of the trespass laws on such commercial shooting areas shall be the responsibility of the owner and shall not in any manner be deemed an obligation of the department.

§ 2481. Bond

In the event that the operation is abandoned by the proprietor, or the license is revoked by the commissioner, all signs and wire used as boundary marking shall be removed. To insure such compliance, the owner is required to provide a \$500 performance bond from a bonding company satisfactory to the commissioner.

Sec. 2. R. S., T. 17, § 3852, amended. Section 3852 of Title 17 of the Revised Statutes is amended to read as follows:

§ 3852. Improved lands and fish ponds

Whoever willfully commits any trespass or knowingly authorizes or employs another to do so by entering the garden, orchard, pasture, cranberry ground, improved blueberry ground, arboretum, botanic garden or improved land of another or pond of another used for the lawful cultivation of fish **or commercial shooting area**, with intent to take, carry away, destroy or injure trees, shrubs, plants, flowers, grain, grass, hay, fruit, vegetables, turf or soil thereon or the fish in such pond, **or pheasants, quail or Chukar partridge found on such commercial shooting area**, shall be punished by a fine of not more than \$100 and by imprisonment for not more than 90 days.