

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 374

In Senate, March 17, 1915.

Reported by Sen. Allen from Committee on Inland Fisheries and Game, and ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to amend chapter thirty-two of the Revised Statutes, as amended by chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to the adoption of rules and regulations restricting fishing and hunting in cases of emergency.

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

Section 1. Section fifteen of chapter thirty-two of the
2 revised statutes, as amended by chapter two hundred and
3 six of the public laws of nineteen hundred and thirteen, is
4 hereby amended by striking out all of said section after the
5 word "laws" in the third line thereof, so that said section
6 as amended shall read as follows:

'Sect. 15. The commissioners of inland fisheries and game shall have general supervision of the enforcement of the inland fish and game laws.'

Sect. 2. Section sixteen of chapter thirty-two of the revised statutes, as amended by chapter two hundred and six of the public laws of nineteen hundred and thirteen, is hereby amended by striking out all of said section and by substituting therefor the following section:

'Sect. 16. A commission is hereby created composed of one member of the inland fish and game commission and the chairman on the part of the senate and the chairman on the part of the house of representatives of the committee on inland fisheries and game of the legislature, to be known as the emergency commission.

Said commission, upon petition of twenty or more responsible citizens of the State, after due notice and public hearing in the locality to be affected, may adopt rules and regulations regulating the times and places in which and the circumstances under which inland fish, wild birds, game and other wild animals may be taken; but the taking of inland fish, game or other wild animals shall not be authorized at a time in which its capture is prohibited by the laws of the state.

Said commission may, upon like petition, and after like notice and hearing, modify or repeal any rules and regulations by them adopted.

All regulations adopted in conformity with the provisions
25 of this section shall expire within ninety days after the ad-
26 journment of the session of the legislature next following
27 the adoption of such rules and regulations.

Copies of all rules and regulations adopted shall be filed
29 in the offices of the clerks of the cities, towns and planta-
30 tions in the territory to be affected and the same shall be
31 published three weeks successively in a newspaper printed
32 in the county and shall be posted on the banks of all waters
33 and on all lands to be affected; whenever such rules and
34 regulations apply to any unorganized township, a copy there-
35 of shall be filed with the clerk of courts for that county and
36 shall be published three weeks successively in a newspaper
37 printed in the county; said commission shall, immediately
38 upon the adoption of any rules and regulations contemplated
39 by this section, file an attested copy of the same in the office
40 of the secretary of state.

Provided, however, that no rules and regulations contem-
42 plated by this section shall be adopted except in cases of
43 emergency, and the petitioners, whenever request for the
44 adoption of rules and regulations is made, must clearly state
45 in their petition the emergency which exists.

Whenever said commission takes action on a petition, as
47 contemplated by this section, the two members of the legis-
48 lature on the commission shall each receive the sum of three
49 dollars a day for the time they are actually employed under
50 this section, and they and the commissioner of inland fish-

51 eries and game who may be acting as a member of this com-
52 mission shall be reimbursed for their actual traveling ex-
53 penses incurred in the performance of the duties imposed
54 upon them by this section, all of which shall be paid by the
55 petitioners.

Whoever fishes for, takes, catches, kills, destroys or has in
57 possession, any inland fish, or hunts, chases, catches, kills
58 or has in possession any wild bird or game or other wild
59 animal in violation of any of the rules and regulations of
60 the emergency commission made and promulgated in con-
61 formity with the provisions of this section shall pay a fine
62 of not less than ten dollars nor more than fifty dollars and
63 costs for each offense; provided, further, that if protected
64 wild birds or wild animals are taken, caught, killed or had
65 in possession in violation of any rules and regulations of
66 the emergency commission made and promulgated in con-
67 formity with the provisions of this section, the penalty shall
68 be the same as is now imposed by law during other closed
69 season.

Whoever wilfully mutilates, defaces or destroys any notice,
71 rule, or regulation of the emergency commissioners posted
72 in conformity with the provisions of this section, shall be
73 punished by a fine not exceeding fifty dollars, to be recov-
74 ered by complaint or indictment; and one-half of said fine
75 shall be paid to the prosecutor.'