

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 43

In Senate, Jan. 25, 1917.

Came from the house referred to the committee on Inland Fisheries and Game and on motion of Mr. Hastings of Androscoggin laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

Presented by Mr. Barnes of Houlton.

STATE OF MAINE

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

AN ACT to provide for the registration of resident hunters.

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

Section 1. No resident of this State shall hunt in any
2 manner, at any time, or pursue, take, catch, kill, destroy or
3 have in possession, within the limits of this State, any wild
4 animals or wild birds without having first procured a certifi-
5 cate of registration therefor as hereinafter provided, and
6 then only during the respective seasons when it shall be law-
7 ful, and subject to all other provisions of Chapter 33 of the

8 Revised Statutes; provided, that nothing in this act shall be
9 construed as affecting the right of a bona fide resident of
10 this State, or his immediate family, to hunt without such
11 license on land owned by him or on land leased by him and
12 on which he is actually domiciled, and which land is used
13 exclusively for agricultural purposes, nor as affecting in any
14 way the provisions of the statutes relating to trespass, nor
15 shall the possession of such license grant or confer any
16 privilege not enjoyed prior to the passage of this act.

The words "resident of this State" wherever used in this
2 act shall be construed to mean any person not subject to the
3 provisions of section 65 of chapter 33 of the Revised Stat-
4 utes, who has been a bona fide resident of this State for a
5 period of six months next prior to his application for regis-
6 tration as provided for in this act.

Sect. 2. Any resident of this State may make written
2 application to the clerk of the city, town or plantation in
3 which such resident resides, and such city, town or plantation
4 clerk, after having satisfied himself that the applicant is a
5 bona fide resident of said city, town or plantation, and upon
6 the payment by such applicant of a registration fee of one
7 dollar, and a recording fee of fifteen cents to be retained by
8 said clerk, shall issue to such applicant a certificate in the
9 form prescribed and upon blanks furnished by the Commis-
10 sioners of Inland Fisheries and Game, which certificate shall
11 bear the name, age, occupation, place of residence, and an
12 identifying description of the holder of such certificate, and
13 shall authorize the person so registered to hunt and kill such

14 wild birds and wild animals as may be legally hunted in their
15 respective open seasons and in the manner provided by law
16 on any lands on which hunting or killing is not forbidden by
17 law.

Such certificate shall authorize the hunting or killing of
2 game and game birds only under such restrictions and for
3 such purposes as are imposed or authorized by law.

Sect. 3. Each certificate issued under the provisions of
2 this act shall be valid until January first next following the
3 date of issue; such certificate shall not be transferable, and
4 shall not be valid unless the signature of the person to whom
5 it was issued is written thereon in ink.

Every person holding a certificate of registration by virtue
2 of this act shall, at all times, while hunting, have such certifi-
3 on his person, and shall exhibit the same for inspection to
4 any person authorized to enforce the Inland Fish and Game
5 laws. Failure to produce such certificate upon such request
6 shall constitute a violation of this act.

No such certificate shall be granted to any person under
2 sixteen years of age unless the written consent of parents or
3 guardian is attached to the application for such certificate.

Every person holding a certificate by virtue of this act shall,
2 on or before December thirty-first of each year, on blanks
3 to be furnished by the Commissioners of Inland Fisheries
4 and Game, report to said commissioners the number of each
5 variety of protected wild birds and wild animals killed by
6 him during the year.

Sect. 4. It shall be unlawful for any resident of this state to
2 offer for transportation, in accordance with the provisions of
3 sections 41, 42, 44 and 55, of chapter 33 of the Revised
4 Statutes, to any person, company or corporation or to any
5 agent, servant or employee thereof, or to transport any game
6 or game birds or any other wild animals or wild birds, unless
7 he shall have in his possession at the time a certificate of
8 registration, as herein provided, duly issued to him under the
9 provisions of this act.

Sect. 5. It shall be unlawful for any person, company or
2 corporation or for any agent, servant or employee thereof to
3 accept for transportation, from a resident of this state, any
4 game or game birds or any other wild animals or wild birds,
5 without first ascertaining the fact that the person offering
6 such game, game birds or other wild animals or birds is in
7 possession of a certificate duly issued to him covering the
8 period when such shipment is offered for transportation.

Sect. 6. Any resident of this state who is actually domi-
2 ciled in any unorganized place, may make written application
3 to the clerk of the nearest town or organized plantation, and
4 such town or plantation clerk, after having satisfied himself
5 that such applicant is a bona fide resident of the unorganized
6 place set forth in said application and upon the payment of a
7 fee of one dollar and a recording fee of fifteen cents, shall
8 issue to such applicant a certificate of registration in the
9 form prescribed in Section 2 of this act, which certificate
10 shall be subject to the same conditions and restrictions as
11 certificates issued in accordance with Section 2 of this act.

Sect. 7. Every city, town and plantation clerk shall keep
2 a record of all such certificates issued by him, which record

3 shall be open to inspection by any person authorized to
4 enforce the Inland Fish and Game laws, and such clerk shall,
5 on the first Monday in every month, forward to the Commis-
6 sioners of Inland Fisheries and Game the amount received, if
7 any, for such certificates issued during the preceding
8 month, less the recording fee together with the application
9 and stub of each certificate issued.

Any city, town or plantation clerk who shall neglect or
2 refuse to carry out the provisions of this section or to remit
3 for certificates issued by virtue of this act within a period of
4 thirty days from the first Monday of each month shall be
5 punished by a fine of not less than twenty-five dollars nor
6 more than fifty dollars and costs for each offense.

Sect. 8. All registration fees collected by virtue of this act
2 shall be paid by the Commissioners of Inland Fisheries and
3 Game to the State Treasurer and shall be set apart as a fund
4 to be expended by said commissioners, with the approval of
5 the Governor and Council, for the propagation, preservation
6 and protection of game in this state, and said commissioners
7 are hereby authorized to receive and expend said moneys in
8 the manner and for the purposes hereinbefore provided;
9 provided, however, that in a case of a failure to convict in
10 any prosecution for violation of any of the provisions of this
11 act, the costs of said prosecution shall be paid out of the
12 fund created by this act.

Sect. 9. The possession of any firearm in the fields or
2 forests or on the waters or ice of the state by a resident of
3 this state, unless the person having such firearm in possession
4 has in his possession a certificate of registration, as herein

5 provided, duly issued to him and covering the period such
6 firearm is found in his possession, shall be prima facie
7 evidence of hunting in violation of this act.

Sect. 10. Any person who violates any of the provisions
2 of section one, two, three, four, five or six of this act, or who
3 permits another person to have or use a certificate issued to
4 him, or who shall change or alter the same in any manner, or
5 who has or uses any certificate issued to another person, or
6 who shall guide a resident of this state while hunting, who
7 has not a certificate as provided herein, shall be punished by
8 a fine of not less than five dollars nor more than twenty-five
9 dollars and costs of prosecution for each offense.

Sect. 11. If the holder of a certificate issued by virtue of
2 this act violates any of the inland fish and game laws said
3 certificate shall be revoked by the Commissioners of Inland
4 Fisheries and Game, at their discretion, and no new certifi-
5 cate shall be issued for a period of one year thereafter to
6 such person.

Sect. 12. Nothing contained in this act shall authorize the
2 hunting, pursuing, taking, catching, killing, destroying, hav-
3 ing in possession or transporting any wild animals or wild
4 birds, or parts thereof, contrary to the laws now in force or
5 hereafter enacted.