

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

SENATE

NO. 167

In Senate, March 26, 1921.

Reported by Mr. Putnam from Committee on Inland Fisheries and Game and laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Amend Section Fifty-seven of Chapter Thirty-three of the Revised Statutes, as Amended by Chapter Two Hundred and Nineteen of the Public Laws of Nineteen Hundred and Seventeen, and Further Amended by Chapter Sixty-one of the Public Laws of Nineteen Hundred and Nineteen, Relating to the Protection of Wild Birds.

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

R. S. c. 33, sec. 57, 1917, c. 219, am. sec. 57, 1917, c. 244, 2 1919, c. 61, am. sec. 57; relating to the protection of "wild
3 birds," amended. Section fifty-seven of chapter thirty-three
4 of the revised statutes, as amended by chapter two hundred
5 and nineteen of the public laws of nineteen hundred and
6 seventeen, and further amended by chapter sixty-one of the

7 public laws of nineteen hundred and nineteen, is hereby
8 amended by inserting after the word "provided" in the
9 eleventh line thereof, the following words: 'provided further
10 that the sea gull may be killed while in the act of destroying
11 property,' so that said section shall read as follows:

'Sect. 57. Commissioners may grant permits to kill wild
2 birds which have become injurious to agricultural or other
3 interests. No person shall within the state, kill or catch
4 or have in his or her possession, living or dead, any wild
5 bird, other than a game bird, nor purchase, offer or expose
6 for sale, any such wild bird, after it has been killed or caught.
7 No part of the plumage, skin or body of any bird protected
8 by this section shall be sold or had in possession for sale.
9 Nor shall any person take or needlessly destroy the nest or
10 the eggs of any wild bird, nor have such nest or eggs in his
11 possession. The English or European house sparrow, the
12 common crow, and the hawks and owls, mud hens (or bit-
13 tern), kingfishers, loons, and blue herons are not included
14 among the birds herein protected; provided further that the
15 sea gull may be killed while in the act of destroying prop-
16 erty; and for the purpose of this chapter the following only
17 shall be considered game birds: The anatidae commonly
18 known as swans, geese, brant, and river and sea ducks; the
19 rallidae, commonly known as rails, coots, and gallinules; the
20 limicolae, commonly known as shore birds, plovers, surf
21 birds, snipe, woodcock, sandpipers, tattlers, and curlews;
22 the gallinae, commonly known as wild turkeys, grouse,

23 prairie chickens, pheasants, partridges and quails. Nothing
24 in this section, however, shall be construed to affect in any
25 way the protection of game birds as provided in sections
26 fifty-four and fifty-five. Provided, however, that the com-
27 missioner of inland fisheries and game shall have authority
28 upon complaint that protected wild birds, under extraordi-
29 nary conditions, have become seriously injurious to agricul-
30 ture or other interests in any particular community, after
31 thorough investigation, to grant permits to kill such birds.
32 Any person who violates any of the provisions of this sec-
33 tion shall pay a fine of five dollars and costs, for each of-
34 fense, and an additional five dollars for each bird, living or
35 dead, or part of a bird, or nest or egg, possessed in violation
36 of this section, or be imprisoned for ten days.'