

# MAINE STATE LEGISLATURE

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NEW DRAFT

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EIGHTY-FIRST LEGISLATURE

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HOUSE

NO. 342

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House of Representatives, March 8, 1923.

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

CLYDE R. CHAPMAN, Clerk.

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STATE OF MAINE.

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

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AN ACT to Amend Chapter One Hundred and Seventy-three  
of the Public Laws of Nineteen Hundred and Nineteen,  
Relating to the Registration of Resident Hunters.

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

Section 1. Section one of chapter one hundred and seventy-three of the public laws of nineteen hundred and nineteen is hereby amended by inserting after the word "birds" in the third line thereof the words 'or fish for, take, catch, or kill any fish of any kind in any of the inland waters of this state, or have the same in possession,' and by striking out in the sixth line the words "of chapter thirty-three" and inserting after the word "statutes" the words 'and acts

9. amendatory thereof and in addition thereto'; also by insert-  
10 ing after the word "hunt" in the twelfth line thereof the  
11 words 'or fish in unclosed waters in accordance with the  
12 laws of this state,' and by striking out after the words  
13 "sixty-six of" in the seventeenth line of said section the  
14 words "chapter thirty-three of the revised statutes, as  
15 amended by" and adding after the word "seventeen" in the  
16 nineteenth line thereof the words 'and acts amendatory  
17 thereof,' so that, as amended, said section shall read as  
18 follows:

'Section 1. No resident of this state shall hunt in any  
2 manner, at any time, or pursue, take, catch, kill, destroy  
3 or have in possession, within the limits of this state, any  
4 wild animals or wild birds, or fish for, take, catch or kill  
5 any fish of any kind in any of the inland waters of this  
6 state, or have the same in possession, without having first  
7 procured a certificate of registration therefor as hereinafter  
8 provided, and then only during the respective seasons when  
9 it shall be lawful, and subject to all other provisions of the  
10 revised statutes and acts amendatory thereof and in addition  
11 thereto; provided, that nothing in this act shall be construed  
12 as affecting in any way the provisions of the statutes relating  
13 to trespass, nor shall the possession of such certificate grant  
14 or confer any privilege not enjoyed prior to the passage of  
15 this act, nor shall the provisions of this act be construed as  
16 applying to unprotected wild birds or as affecting the right of  
17 a bona fide resident of this state, or his immediate family,

18 to hunt, or fish in unclosed waters in accordance with the  
19 laws of this state, without such license on land owned by  
20 him or on land leased by him and on which he is actually  
21 domiciled, and which land is used exclusively for agricul-  
22 tural purposes.

“The words “resident of this state” wherever used in this  
2 act shall be construed to mean any person not subject to  
3 the provisions of sections sixty-five and sixty-six of chap-  
4 ter two hundred and nineteen of the public laws of nine-  
5 teen hundred and seventeen and acts amendatory thereof  
6 who has been a bona fide resident of this state and actually  
7 domiciled here for a period of three months next prior to  
8 his application for registration as provided for in this act.”

Sect. 2. Section two of said chapter one hundred and  
2 seventy-three is hereby amended by striking out the word  
3 “fifteen” in the fifth line of said section and by inserting  
4 in place thereof the word ‘ten,’ and by inserting after the  
5 word “hunted” in the twelfth line of said section, the words  
6 ‘and to fish for, take, catch or kill fish in the inland waters  
7 of the state,’ and by inserting after the word “lands” in  
8 the thirteenth line of said section, the words ‘or waters,’  
9 and by inserting after the word “killing” in the thirteenth  
10 line of said section, the words ‘or fishing,’ and by inserting  
11 after the word “birds” in the second line of the second para-  
12 graph of said section, the words ‘and the taking, catching  
13 and killing of fish in the inland waters of this state,’ so  
14 that said section, as amended, shall read as follows:

‘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 planta-  
4 tion clerk, after having satisfied himself that the applicant  
5 is a bona fide resident of said city, town or plantation, and  
6 upon the payment by such applicant of a fee of twenty-five  
7 cents, ten cents of which shall be retained by said clerk as  
8 recording fee, shall issue to such applicant a certificate in  
9 the form prescribed and upon blanks furnished by the com-  
10 missioner of inland fisheries and game, which certificate  
11 shall bear the name, age, occupation, place of residence, and  
12 an identifying description of the holder of such certificate,  
13 and shall authorize the person so registered to hunt and kill  
14 such wild birds and wild animals as may be legally hunted,  
15 and to fish for, take, catch or kill fish in the inland waters  
16 of the state, in their respective open seasons and in the man-  
17 ner provided by law, on any lands or waters on which hunt-  
18 ing or killing or fishing is not forbidden by law.

‘Such certificate shall authorize the hunting or killing of  
2 game and game birds, and the taking, catching and killing  
3 of fish in the inland waters of this state, only under such  
4 restrictions and for such purposes as are imposed or author-  
5 ized by law.’

Sect. 3. Section three of said chapter one hundred and  
2 seventy-three is hereby amended by inserting after the word  
3 “hunting” in the seventh line of said section, the words ‘or  
4 fishing’ and by inserting after the word “laws” in the ninth

5 line of said section the words 'or any fire warden,' and by  
6 inserting after the word "certificate" in the fourteenth line  
7 of said section the words 'but any resident under sixteen  
8 years of age may fish in waters open to fishing without such  
9 certificate,' so that said section, as amended, shall read as  
10 follows:

'Sect. 3. Each certificate issued under the provisions of  
2 this act shall be valid so long as the registrant remains a  
3 citizen of this state; such certificate shall not be transfer-  
4 able, and shall not be valid unless the signature of the per-  
5 son to whom 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 or fishing, have  
3 such certificate on his person, and shall exhibit the same  
4 for inspection to any person authorized to enforce the in-  
5 land fish and game laws, or any fire warden. Failure to  
6 produce such certificate, or satisfactory evidence of the  
7 issuance of same, upon such request shall constitute a viola-  
8 tion of this act.

'No such certificate shall be granted to any person under  
2 sixteen years of age unless the written consent of parents  
3 or guardian is attached to the application for such certifi-  
4 cate, but any resident under sixteen years of age may fish  
5 in waters open to fishing without such certificate.'

Sect. 4. Section four of said chapter one hundred and  
2 seventy-three is hereby amended by striking out the words  
3 "thirty-three of the revised statutes" in the third line there-

4 of and inserting the words 'two hundred and nineteen of  
5 the public laws of nineteen hundred and seventeen'; and  
6 by inserting after the word "any" in the fifth line thereof  
7 the word 'fish,' so that, as amended, said section shall read  
8 as follows:

'Sect. 4. It shall be unlawful for any resident of this state  
2 to offer for transportation, in accordance with the provi-  
3 sions of sections forty-one, forty-two, forty-four and fifty-  
4 five of chapter two hundred and nineteen of the public laws  
5 of nineteen hundred and seventeen, as amended, to any per-  
6 son, company or corporation or to any agent, servant or  
7 employee thereof, or to transport any fish, game, or game  
8 birds or any other wild animals or wild birds, unless he  
9 shall have in his possession at the time a certificate of reg-  
10 istration, as herein provided, duly issued to him under the  
11 provisions of this act.'

Sect. 5. Section five of said chapter one hundred and  
2 seventy-three is hereby amended by inserting after the word  
3 "birds" in the fourth line of said section, the words 'or any  
4 fish taken in any inland waters in this state,' and by insert-  
5 ing after the word "birds" at the end of the fifth line of  
6 said section, the words 'or fish,' so that said section, as  
7 amended, shall read as follows:

'Sect. 5. It shall be unlawful for any person, company  
2 or corporation or for any agent, servant or employee thereof  
3 to accept for transportation, from a resident of this state,  
4 any game or game birds, or any other wild animals or wild

5 birds, or any fish taken in any inland waters in this state,  
6 without first ascertaining the fact that the person offering  
7 such game, game birds or other wild animals or birds or  
8 fish, is in possession of a certificate duly issued to him cover-  
9 ing the period when such shipment is offered for transpor-  
10 tation.'

Sect. 6. Section seven of said chapter one hundred and  
2 seventy-three is hereby amended by striking out the word  
3 "fifteen" in the seventh line of said section, and by insert-  
4 ing in place thereof the word 'ten,' so that said section, as  
5 amended, shall read as follows:

'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 en-  
4 force the inland fish and game laws, and such clerk shall,  
5 on the first Monday in every month, forward to the com-  
6 missioner of inland fisheries and game the amount received,  
7 if any, for such certificates issued during the preceding  
8 month, less the recording fee of ten cents, together with  
9 the application 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 re-  
3 mit for certificates issued by virtue of this act within a pe-  
4 riod of thirty days from the first Monday of each month  
5 shall be punished by a fine of not less than twenty-five dol-  
6 lars nor more than fifty dollars and costs for each offense.'

Sect. 7. Section nine of said chapter one hundred and



2 seventy-three is hereby amended by inserting after the word  
3 "firearm" in the first, third, and fifth lines thereof, the words  
4 'or fishing tackle,' and by inserting after the word "hunting"  
5 in the last line of said section, the words 'or fishing,' so  
6 that said section, as amended, shall read as follows:

'Sect. 9. The possession of any firearm or fishing tackle  
2 in the fields or forests or on the waters or ice of the state  
3 by a resident of this state, unless the person having such  
4 firearm or fishing tackle in possession has in his possession  
5 a certificate of registration as herein provided, duly issued  
6 to him and covering the period such firearm or fishing tackle  
7 is found in his possession, or gives satisfactory evidence of  
8 the issuance of such certificate, shall be prima facie evidence  
9 of hunting or fishing in violation of this act.'

Sect. 8. Section ten of said chapter one hundred and  
2 seventy-three is hereby amended by inserting after the word  
3 "hunting" in the fifth and sixth lines thereof the words 'or  
4 fishing,' so that said section, as amended, shall read as fol-  
5 lows:

'Sect. 10. Any person who violates any of the provisions  
2 of sections one, two, three, four, five or six of this act, or  
3 who permits another person to have or use a certificate is-  
4 sued to him, or who shall change or alter the same in any  
5 manner, or who has or uses any certificate issued to another  
6 person, or who shall guide a resident of this state while  
7 hunting or fishing, who has not a certificate as provided  
8 herein, shall be punished by a fine of not less than five dol-

9 lars nor more than twenty-five dollars and costs of prose-  
10 cution for each offense.'

Sect. 9. Section twelve of said chapter one hundred and  
2 seventy-three is hereby amended by inserting after the word  
3 "birds" in the third line thereof the words 'or inland fish,'  
4 so that said section, as amended, shall read as follows:

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

Sect. 10. Chapter one hundred and seventy-three of the  
2 public laws of nineteen hundred and nineteen is hereby fur-  
3 ther amended by adding thereto the following section:

'Sect. 13. Any person who, at the time this act becomes  
2 effective, has in his possession a hunter's registration cer-  
3 tificate issued in accordance with the provisions of said  
4 chapter one hundred and seventy-three of the public laws  
5 of nineteen hundred and nineteen, shall be construed as be-  
6 ing equipped with the combination hunting and fishing cer-  
7 tificate required by this act.

'All such certificates issued after this act takes effect shall  
2 be combination hunting and fishing certificates, as provided  
3 herein, the same to be in the form prescribed and upon  
4 blanks furnished the several town, city and plantation clerks  
5 of the state by the commissioner of inland fisheries and  
6 game, as provided in section two of said chapter one hun-

7 dred and seventy-three of the public laws of nineteen hun-

8 dred and nineteen.'