

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 76

H. P. 107

House of Representatives, Jan. 22, 1931.

Referred to Committee on Inland Fisheries and Game and
500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Sterling of Caratunk.

STATE OF MAINE

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

AN ACT Relating to Game Birds.

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

Section 1. R. S., c. 38, sec. 55; Federal regulations on migratory game birds to govern. Section fifty-five of chapter thirty-eight of the revised statutes is hereby amended by striking out the whole of said section and by inserting in lieu thereof the following:

'Sect. 55. Closed time and other restrictions on hunting of game birds. No person shall hunt or have in his possession any eagle, Hungarian partridge or capercailzie, cock of the woods, or any black game, or species of the pheasant, except ruffed grouse or partridge.

There shall be a closed season on partridge from November tenth to October ninth of the following year, both days inclusive, and no person shall, during the open season, have in possession in any one day more than four partridge, or in any one open season for partridge or ruffed grouse more than twenty-five of the above named birds, nor shall any person at any time buy or sell any partridge or ruffed grouse.

It shall be unlawful for any person to hunt, capture, kill, take, possess, buy, or sell any migratory game bird at any time; but it shall not be deemed to be a violation of this chapter to hunt, capture, kill, take, possess, buy, or sell any migra-

tory game bird or part thereof at the times, in the manner and numbers, and by the means specifically permitted by regulations adopted and approved pursuant to the provisions of the Federal Migratory Bird Treaty Act (Act of Congress approved July 3, 1918).

No person or corporation shall carry or transport from place to place any partridge or any migratory game bird in closed season, except that a person shall have a reasonable time after the beginning of closed season to transport, as hereinafter provided, to his home, game birds or migratory game birds legally killed by him in open season, nor in open season unless open to view, tagged and plainly labeled with owner's name and residence, and accompanied by him, unless tagged with a transportation tag as hereinafter provided; nor shall any person or corporation carry or transport in any one day, as the property of one person, more than four partridge, nor a larger number of any migratory game birds than may legally be taken under Federal regulations. Provided, however, it shall be lawful for a citizen of this state who has purchased a transportation tag, paying therefor five dollars, to take with him out of the state birds which he himself has lawfully killed. Provided, further, that any citizen of this state who has lawfully in his possession one pair of partridge, or one pair of migratory game birds, may send the same anywhere in this state without accompanying the same, by purchasing therefor a transportation tag, paying therefor fifty cents, and attaching said tag to the pair of birds. Provided, further, that no person shall under any of the provisions of this paragraph send as aforesaid more than one pair of game birds or migratory game birds once in seven days.

Provided, further, that it shall be unlawful to hunt at any time, any curlew, wood duck, swans, or any shore birds, except as may be permitted under Federal regulations.'

Sect. 2. R. S., c. 38, sec. 58; "migratory game birds" defined. Section fifty-eight of chapter thirty-eight of the revised statutes is hereby amended by striking out the whole of said section and by inserting in lieu thereof the following:

'Sect. 58. Other than game birds protected; "game birds" and "migratory game birds" defined. No person shall have in his possession, living or dead, any wild bird, other than a game bird or a migratory game bird. No part of the plumage,

skin or body of any bird protected by this section shall be sold or had in possession for sale. Nor shall any person take or needlessly destroy the nest or the eggs of any wild bird, nor have such nest or eggs in possession. The English or European house sparrow, the common crow, and the hawks, owls and kingfishers, are not included among the birds therein protected; and for the purpose of this chapter the partridge, or ruffed grouse, only shall be considered a game bird, and the following only shall be considered migratory game birds: Anatidae or waterfowl, including brant, wild ducks, geese, and swans; gruidae or cranes, including little brown, sandhill, and whooping cranes; rallidae or rails, including coots, gallinules, and sora and other rails; limicolae or shore birds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock and yellowlegs; columbidae or pigeons, including doves and wild pigeons. Nothing in this section, however, shall be construed to affect in any way the protection of game birds or migratory game birds as provided in section fifty-five of this chapter.'