

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 98

S. P. 86

In Senate, Jan. 22, 1931.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Boulter of York.

STATE OF MAINE

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

AN ACT Relating to Snares for Bobcats.

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

Section 1. Section forty-eight of chapter thirty-eight of the revised statutes is hereby amended by adding in the second line thereof, after the word "snare" the words 'except such snares as may be used under the provisions of this section and section ninety-one of this chapter,'; and by adding in the sixth line thereof, after the word "state"; the following: 'provided, however, that upon written complaint of any citizen that bobcat, loupcevrier or Canada lynx are doing actual, substantial damage, the commissioner shall have authority to declare open to the use of snares in the taking of bobcat, loupcevrier or Canada lynx such land for such period of time as he may deem necessary to remove the bobcat, loupcevrier or Canada lynx doing the damage complained of, during which period it shall be lawful for any game warden, or any person properly licensed, to take bobcat, loupcevrier or Canada lynx with snares of a size to be designated by the commissioner, the same to be plainly labeled with the full name and address of the person setting the same;' and by striking out in the seventh line of said section the word "snare,"; and by adding in the tenth line of said section, after the word "traps" the words 'snare or snares,'; and by adding at the end of said section the fol-

lowing: 'provided, further, that it shall be illegal to have in possession at any time any fish, wild birds, or wild animals, or part or parts thereof, taken by any illegal means or device,' so that said section, as amended, shall read as follows:

'Sect. 48. Use of snares, guns set on swivels, or poison forbidden; traps to be labeled; bear traps to be enclosed in huts. No person shall set a snare, except such snares as may be used under the provisions of this section and section ninety-one of this chapter, or a swivel, pivot or set gun, or use or deposit any poisonous or stupefying substance for any furbearing animal, and shall forfeit any such snare, swivel, pivot, set gun, or poisonous substance, to the state; provided, however, that upon written complaint of any citizen that bobcat, loup cervier or Canada lynx are doing actual, substantial damage, the commissioner shall have authority to declare open to the use of snares in the taking of bobcat, loup cervier or Canada lynx such land for such period of time as he may deem necessary to remove the bobcat, loup cervier or Canada lynx doing the damage complained of, during which period it shall be lawful for any game warden, or any person properly licensed, to take bobcat, loup cervier or Canada lynx with snares of a size to be designated by the commissioner, the same to be plainly labeled with the full name and address of the person setting the same; provided, further, that no person shall advertise or give notice of the sale, or keeping for sale, of any such swivel, pivot, set gun, or poisonous substance; or shall any person set any trap for any wild animal without having the trap plainly labeled with his full name and address and he shall forfeit to the state the trap or traps, snare or snares, not so marked and any wild animal found therein; provided, further, that no person shall set a bear trap unless the same is enclosed in a hut, so-called, or by at least two strands of barbed wire, one four and one five feet from the ground, said wire to be securely held in position and to be not less than five yards at any point from the enclosed trap; provided, further, that it shall be illegal to have in possession at any time any fish, wild birds, or wild animals, or part or parts thereof, taken by any illegal means or device.'

Sect. 2. Section ninety-one of chapter thirty-eight of the revised statutes is hereby amended by adding at the end thereof the following: 'except that the commissioner is hereby

authorized to issue a special license, for a fee of twenty-five dollars, permitting the holder thereof to go onto a game preserve or game sanctuary for the purpose of taking foxes, bobcats, loup cervier, Canada lynx or other vermin doing damage to desirable game birds, game animals or game fish, such special license to include the use of snares if in the opinion of the commissioner it is necessary or desirable to employ such means, and said special license shall plainly state the territory open to the holder, the specie or species of vermin to be taken, and the methods which may or shall be used in the taking of such vermin,' so that said section, as amended, shall read as follows:

'Sect. 91. Hunting or possession of firearms within limits of game preserves forbidden. No person shall at any time hunt, chase, catch, kill or destroy any wild birds or wild animals or have in his possession firearms of any description within the limits of any game preserve or closed territory, except that the commissioner is hereby authorized to issue a special license, for a fee of twenty-five dollars, permitting the holder thereof to go onto a game preserve or game sanctuary for the purpose of taking foxes, bobcats, loup cervier, Canada lynx or other vermin doing damage to desirable game birds, game animals or game fish, such special license to include the use of snares if in the opinion of the commissioner it is necessary or desirable to employ such means, and said special license shall plainly state the territory open to the holder, the specie or species of vermin to be taken, and the methods which may or shall be used in the taking of such vermin.'