

# MAINE STATE LEGISLATURE

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EIGHTY - SIXTH    L E G I S L A T U R E

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Legislative Document

No. 31

H. P. 44

House of Representatives, Jan. 18, 1933.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Ellis of Rangeley.

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STATE OF MAINE

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

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AN ACT Relating to Beaver.

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

Section I. **R. S. c. 38, § 73, amended.** Section 73 of c. 38 of the revised statutes is hereby amended to read as follows :

**'Sec. 73. Closed season on beaver; exception; penalty.** No person shall take beaver anywhere in the state at any time except during such open season as may be declared by the commissioner in accordance with the provisions of this section. It shall also be unlawful for any person to have in possession at any time any beaver, or part thereof, taken in violation of any provision of this section. It shall also be unlawful for any person, firm or corporation, to sell, give away, buy, accept as a gift, offer for transportation or transport any beaver skin or beaver skins unless each skin is marked with an official seal by the chief game warden of the department of inland fisheries and game in whose district such beaver skin or beaver skins were taken. All beaver skins shall be marked within thirty days from the closing of the open period.

The commissioner of inland fisheries and game, with the advice and consent of the advisory council, upon written complaint of any water company required to furnish pure water to its customers that beaver or muskrat are polluting its water supply, shall have authority to declare an open season for

beaver or muskrat on such sections of land and waters as is necessary for the trapping or removal of the beaver or muskrat that are polluting said waters, by any person holding a beaver trapping license without securing permission of the land owner (or under rules and regulations of the commissioner), or upon written complaint of any land owner that beaver are doing actual, substantial damage to his property, or whenever in his opinion beaver in a certain locality are a detriment to fishing or hunting, shall declare an open season for beaver upon such land for such period of time and under such conditions as he may deem necessary to remove the beaver that are doing the damage complained of, during which open season it shall be lawful for any person holding a beaver trapping license issued in accordance with the provisions of section forty-two of this chapter to trap beaver thereon.

No open season for beaver as contemplated by this section shall take effect until the commissioner shall have caused notice of such proposed open season to be published once in a newspaper printed in the county in which the land on which the open season for beaver is declared, is located, and said commissioner shall also file a copy of said notice of open season with the clerk of the town or plantation in which such land is located, or, if the land is an unorganized place, with the clerk of courts for the county in which the land is located. Whenever during a special open season on beaver as is contemplated by this section it shall appear to the commissioner that the privileges of such open season are being abused in any place, he may suspend the open season and declare it close season for beaver on such land for such time as he may designate. No trap shall be set within twenty-five feet of a beaver house and no beaver house shall be molested or destroyed.

Whoever violates the provisions of any law relating to beaver shall be punished by a fine of not less than fifty dollars and costs for each offense or by imprisonment for not more than ninety days or by both such fine and imprisonment. Each beaver or beaver skin taken in violation of law shall be considered as a separate offense under this section.

Sec. 2. **Repealing clause.** Sub-section (e) of § 72, and sub-section (a) of § 107 of chapter 38 of the revised statutes, are hereby repealed.