

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 467

H. P. 421

House of Representatives, February 3, 1955.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Harnden of Rangeley.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Open Season on Beaver.

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

R. S., c. 37, § 119, repealed and replaced. Section 119 of chapter 37 of the revised statutes, as amended by section 1 of chapter 431 of the public laws of 1953, is hereby repealed and the following enacted in place thereof:

'Sec. 119. Open season on beaver; taking; stamping; transportation. There shall be an annual open season on beaver from January 1 to February 28, inclusive, except in those areas declared closed or shortened by the Commissioner.

Before the closing of an area to beaver trapping shall take effect, the Commissioner shall cause notice of such proposed closed area to be published at least once in a newspaper printed in the county in which the land is located and said Commissioner shall also file a copy of said notice of closed areas with the clerk of the town or plantation in which said land is located.

During such open season beaver may be trapped without the consent of the landowner.

No person shall take beaver anywhere in the State at any time except during such open season, except that the Commissioner may cause Department personnel to take nuisance beaver at any time.

It shall be unlawful for any person to have in possession at any time any beaver, or part thereof, except as expressly permitted by this section and section 15. 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 tagged and marked as directed by the Commissioner.

All beaver skins must be presented to the warden supervisor in whose division they were caught, or a warden of that division authorized by the chief warden to tag and mark beaver, and if said supervisor or warden is satisfied that the beaver presented were legally trapped in his division, he shall tag and mark the same in the manner as directed and with the materials furnished by the Commissioner. There shall be not less than 3 wardens, in addition to the supervisor, designated in any warden division for the purpose of stamping beaver skins. A fee of \$1 shall be paid by the trapper for each skin tagged and marked.

In case said beaver skins are libeled under the provisions of this chapter, and the libel is, for any reason, quashed or ruling thereon is against the State, or in case any complaint or indictment involving said skins results in a verdict for the defendant, said skins shall on request and payment of the \$1 fee be immediately tagged, marked and delivered to the person entitled to possession of the same.

All beaver skins shall be presented for tagging and marking within 10 days from the closing of the so-called open season. All beaver which are not tagged and marked in accordance with the provisions of this section shall be seized and confiscated by the wardens.

Any beaver skin or beaver skins that come into this State in any manner from any other state or country shall have official stamp, tag or seal of the state or country from which said skin or skins were taken.

No person, except as hereinbefore provided, shall molest or destroy any beaver dam or set or tend any trap within 10 feet of the same. No person shall molest or destroy any beaver house or set any trap within 25 feet of the same. A beaver dam is defined as a dam that actually maintains water for a live colony of beaver.