

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

Published by the Secretary of State, in accordance with the Resolves of the Legislature
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

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[supplied from page 3 of volume]

'Sec. 16. \$30,000 appropriated annually for provisions of §§ 6, 10, 11, 12 and 13. The sum of thirty thousand dollars shall be appropriated annually to the state department of health for the purpose of carrying out the provisions of sections six, ten, eleven, twelve and thirteen.'

'Sec. 17. Inconsistent acts repealed; penalties in force. All acts and parts of acts inconsistent herewith are hereby repealed, but it is expressly provided that all penalties now provided by law for the violation of the public health laws and regulations shall continue in force.'

'Sec. 18. Supplemental sections relative to local health officers, etc., not effective until Jan. 1st, 1920. Section two of this act shall take effect January first, nineteen hundred and twenty.'

Sec. 3. 1917, c. 301, supplemental to R. S., c. 19; relating to appropriation for suppression of venereal diseases, amended. Chapter nineteen of the revised statutes, as amended by section one hundred and thirty-one of chapter three hundred and one of the public laws of nineteen hundred and seventeen, is hereby amended by striking out all of said section after the word "appropriated" in the second and third lines of said section and by inserting in place thereof the words 'the sum of eight thousands dollars annually', so that, as amended, said section shall read as follows:

'Sec. 131. \$8,000 appropriated annually. For the purpose of enabling the state board of health to carry out the provisions of this act there is hereby appropriated the sum of eight thousand dollars annually.'

Approved April 4, 1919.

Chapter 173.

An Act to Provide for the Registration of Resident Hunters.

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

Sec. 1. Resident hunters to be registered; term defined; exceptions. No resident of this state shall hunt in any manner, at any time, or pursue, take, catch, kill, destroy or have in possession, within the limits of this state, any wild animals or wild birds without having first procured a certificate of registration therefor as hereinafter provided, and then only during the respective seasons when it shall be lawful, and subject to all other provisions of chapter thirty-three of the revised statutes; provided, that nothing in this act shall be construed as affecting in any way the provisions of the statutes relating to trespass, nor shall the possession of such certificate grant or confer any privilege not enjoyed prior to the passage of this act, nor shall the provisions of this act be construed as

CHAP. 173

applying to unprotected wild birds or as affecting the right of a bona fide resident of this state, or his immediate family, to hunt without such license on land owned by him or on land leased by him and on which he is actually domiciled, and which land is used exclusively for agricultural purposes.

The words "resident of this state" wherever used in this act shall be construed to mean any person not subject to the provisions of sections sixty-five and sixty-six of chapter thirty-three of the revised statutes, as amended by chapter two hundred and nineteen of the public laws of nineteen hundred and seventeen, who has been a bona fide resident of this state and actually domiciled here for a period of three months next prior to his application for registration as provided for in this act.

Sec. 2. Certificates to be issued by municipal clerk; fee and form. Any resident of this state may make written application to the clerk of the city, town or plantation in which such resident resides, and such city, town or plantation clerk, after having satisfied himself that the applicant is a bona fide resident of said city, town or plantation, and upon the payment by such applicant of a fee of twenty-five cents, fifteen cents of which shall be retained by said clerk as recording fee, shall issue to such applicant a certificate in the form prescribed and upon blanks furnished by the commissioner of inland fisheries and game, which certificate shall bear the name, age, occupation, place of residence, and an identifying description of the holder of such certificate, and shall authorize the person so registered to hunt and kill such wild birds and wild animals as may be legally hunted in their respective open seasons and in the manner provided by law on any lands on which hunting or killing is not forbidden by law.

Such certificate shall authorize the hunting or killing of game and game birds only under such restrictions and for such purposes as are imposed or authorized by law.

Sec. 3. Certificates good as long as holder is resident of state; not transferable and not to be issued to persons under 16 years of age without written request from parent, etc. Each certificate issued under the provisions of this act shall be valid so long as the registrant remains a citizen of this state; such certificate shall not be transferable, and shall not be valid unless the signature of the person to whom it was issued is written thereon in ink.

Every person holding a certificate of registration by virtue of this act shall, at all times, while hunting, have such certificate on his person, and shall exhibit the same for inspection to any person authorized to enforce the inland fish and game laws. Failure to produce such certificate, or

satisfactory evidence of the issuance of same, upon such request shall constitute a violation of this act.

No such certificate shall be granted to any person under sixteen years of age unless the written consent of parents or guardian is attached to the application for such certificate.

Sec. 4. Transportation of game, etc., prohibited without certificate. It shall be unlawful for any resident of this state to offer for transportation, in accordance with the provisions of sections forty-one, forty-two, forty-four and fifty-five, of chapter thirty-three of the revised statutes, as amended, to any person, company or corporation or to any agent, servant or employee thereof, or to transport any game or game birds or any other wild animals or wild birds, unless he shall have in his possession at the time a certificate of registration, as herein provided, duly issued to him under the provisions of this act.

Sec. 5. Transportation companies not to receive game, etc., unless certificate is shown. It shall be unlawful for any person, company or corporation or for any agent, servant or employee thereof to accept for transportation, from a resident of this state, any game or game birds or any other wild animals or wild birds, without first ascertaining the fact that the person offering such game, game birds or other wild animals or birds is in possession of a certificate duly issued to him covering the period when such shipment is offered for transportation.

Sec. 6. Residents in unorganized territory to obtain certificate at nearest organized township. Any resident of this state who is actually domiciled in any unorganized place, may make written application to the clerk of the nearest town or organized plantation, and such town or plantation clerk, after having satisfied himself that such applicant is a bona fide resident of the unorganized place set forth in said application and upon the payment of a fee of twenty-five cents, shall issue to such applicant a certificate of registration in the form prescribed in section two of this act, which certificate shall be subject to the same conditions and restrictions as certificates issued in accordance with section two of this act.

Sec. 7. Municipal clerks to remit fees monthly; penalty for violation. Every city, town and plantation clerk shall keep a record of all such certificates issued by him, which record shall be open to inspection by any person authorized to enforce the inland fish and game laws, and such clerk shall, on the first Monday in every month, forward to the commissioner of inland fisheries and game the amount received, if any, for such certificates issued during the preceding month, less the recording fee of fifteen cents, together with the application and stub of each certificate issued.

CHAP. 173

Any city, town or plantation clerk who shall neglect or refuse to carry out the provisions of this section or to remit for certificates issued by virtue of this act within a period of thirty days from the first Monday of each month shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and costs for each offense.

Sec. 8. Fees to be credited to department. All registration fees collected by virtue of this act shall be paid by the commissioner of inland fisheries and game to the state treasurer and credited to the appropriation for the operation of fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, for printing the report of the commissioner of inland fisheries and game and other expenses incident to the administration of the department of inland fisheries and game.

Sec. 9. Possession of firearms in fields, forests, etc., prima facie evidence of violation. The possession of any firearm in the fields or forests or on the waters or ice of the state by a resident of this state, unless the person having such firearm in possession has in his possession a certificate of registration, as herein provided, duly issued to him and covering the period such firearm is found in his possession, or gives satisfactory evidence of the issuance of such certificate, shall be prima facie evidence of hunting in violation of this act.

Sec. 10. Penalties. Any person who violates any of the provisions of sections one, two, three, four, five or six of this act, or who permits another person to have or use a certificate issued to him, or who shall change or alter the same in any manner, or who has or uses any certificate issued to another person, or who shall guide a resident of this state while hunting, who has not a certificate as provided herein, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars and costs of prosecution for each offense.

Sec. 11. Certificate to be revoked for violation of game laws. If the holder of a certificate issued by virtue of this act violates any of the game laws said certificate may be revoked by the commissioner of inland fisheries and game at his discretion, and no new certificate shall be issued for a period of six months thereafter to such person.

Sec. 12. Certificate not to give holder rights otherwise prohibited. Nothing contained in this act shall authorize the hunting, pursuing, taking, catching, killing, destroying, having in possession or transporting any wild animals or wild birds, or parts thereof, contrary to the laws now in force or hereafter enacted.