

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 150

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R. S., c. 37, § 119, repealed and replaced.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of chapter 37 of the revised statutes, as amended by section 1 of chapter 431 of the public laws of 1953, is hereby repealed and the following enacted in place thereof: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

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 without the consent of the landowner.

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.'

Effective August 20, 1955

Chapter 151

AN ACT Relating to Definitions and Administration of Bedding and Upholstered Furniture Laws.

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

Sec. 1. R. S., c. 30, § 155, sub-§ I, amended. Subsection I of section 155 of chapter 30 of the revised statutes is hereby amended by adding at the end thereof a new sentence to read as follows:

'“Article of bedding” in sections 155 to 162, inclusive, shall also mean any glider, hammock, chaise longue or other substantially similar article which is wholly or partly upholstered.'

Sec. 2. R. S., c. 30, § 155, sub-§ II-A, additional. Section 155 of chapter 30 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered II-A, to read as follows:

'II-A. “Cushion” in sections 155 to 162, inclusive, shall mean any bag or case made of leather, cotton or other textile or plastic material, which is filled in whole or in part with concealed material, capable of use for sitting, sleeping, resting or reclining purposes but does not include any seat or cushion which is used as an integral part of any automobile, truck, bus, airplane, railroad equipment or on any mechanized equipment used generally in the construction industry or in agriculture.'

Sec. 3. R. S., c. 30, § 160, amended. Section 160 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Sec. 160. Administration and enforcement. The Department is charged with the administration and enforcement of the provisions of sections 155 to 162, inclusive; and may make and enforce reasonable rules and regulations for the enforcement of said sections, and shall have the power through its officers or agents to inspect the manufacture and sale or delivery of all articles or materials subject to the provisions of sections 155 to 162, inclusive, to open and examine the contents thereof and to seize and hold for evidence any article in whole or in part which he has reason to believe is made or offered for sale in violation of the provisions of sections 155 to 162, inclusive, or the rules and regulations of the Department; and any places where any articles covered by said sections are made, remade or offered for sale, or where sterilization or disinfecting is performed under the provisions of said sections, shall be subject to inspection by the Department through its officers or agents.'

Effective August 20, 1955