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Maine Hunting and Trapping Laws Summary, Revision 1969-70

Maine Department of Inland Fisheries and Game

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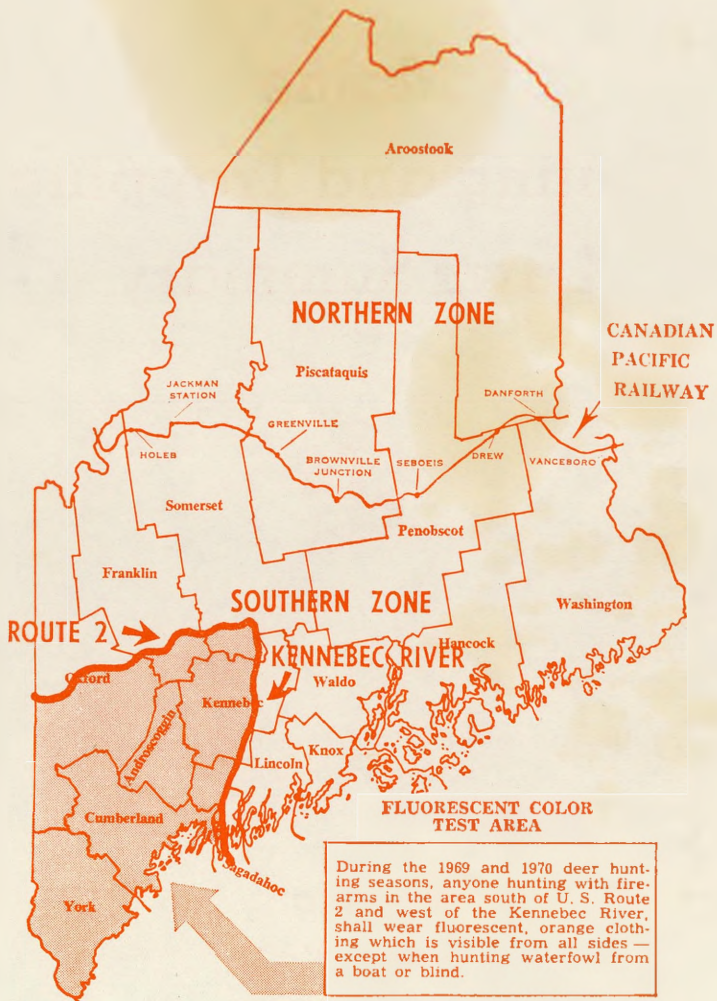
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Maine Hunting and Trapping Laws Summary



**Department of Inland Fisheries and Game
Augusta, Maine**

**Revision
1969 - 70**



State of Maine GENERAL LAW SUMMARY

This Summary Effective For 1969-70 Hunting Seasons GAME BIRDS, GAME AND FUR-BEARING ANIMALS

DEER—Open Seasons

Northern Zone	(Firearms)	Oct. 15 to
	Saturday following	Thanksgiving Day
	(Bow and Arrow)	Oct. 1 to Oct. 14
Southern Zone	(Firearms)	Nov. 1 to Nov. 30
	(Bow and Arrow)	Oct. 1 to Oct. 31
Islesboro, Waldo Co.	(Bow and Arrow)	Oct. 1 to Nov. 30
Swan Island, Hancock Co.	(Bow and Arrow)	Oct. 1 to Nov. 30

Note: See Deer Zone Map, Page 2

Season Limit on Deer—One of either sex—All Deer killed must be registered.

For Archery Season, Special License Required and Special Registration of Deer Killed.

RABBITS—Open Seasons

It shall be unlawful to hunt wild hares or rabbits with dogs during the open season on deer in the following counties: Hancock, Knox, Lincoln, Sagadahoc, Waldo and Washington.

The opening and closing dates for all counties are as follows:

Aroostook, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Somerset, Waldo and Washington	Oct. 1 to Mar. 31
Androscoggin, Cumberland and Sagadahoc	Oct. 1 to Feb. 28
York	Oct. 1 to Mar. 20

Daily Limit 4 — Possession Limit 8

GRAY SQUIRRELS—Open Season

All Counties	Oct. 1 to Nov. 30
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Daily Limit 4 — Possession Limit 8

FUR-BEARING ANIMALS—Open Seasons

Mink	Month of November Only
Muskrat:	
North of the Canadian Pacific	
Railroad tracks (See Somerset County)	Nov. 1 to May 15
South of the Canadian Pacific	
Railroad tracks (All Counties)	Nov. 1 to Apr. 30
Somerset County:	
North of the Canadian Pacific	
Railroad tracks	Oct. 21 to May 15
Sable and Lynx	No Open Season
Fisher	Months of Nov. and Dec.

(Stamping Fee on Fisher 50c)

(Continued on next page)

*Fox	No closed season for hunting
Trapping season	Oct. 21 to Feb. 15
All other Fur-Bearing Animals	
(Except beaver, fox, bobcat and bear)	Nov. 1 to Feb. 15
*Bear	Closed Season Jan. 1 to May 31
Season Limit on Bear — One, either sex.	Unlawful to take
bear of the year. All bear must be registered.	
Bobcats	No Closed Season
Otter	Nov., Jan. and Feb.
Raccoons — Trapping Season	Nov. 1 to Feb. 15
Raccoons — Hunting Season	Sept. 1 to Dec. 15
Skunks — Hunting Season	Aug. 15 to Dec. 15

GAME BIRDS—Open Seasons

		Open Season	Possession
		Daily	At One Time
		Limit	
Pheasants	Oct. 1 to Nov. 30	2	4
Partridge	Oct. 1 to Nov. 15	4	8

*Nighttime and Sundays—Closed to hunting of all wild birds and animals (except raccoons and skunks which may be hunted in the nighttime).

Note: Federal Regulations on Migratory Birds and Ducks will be published when received from the U. S. Fish and Wildlife Service. Rifles prohibited in hunting Migratory Game Birds.

LICENSE FEES

Nonresident Season Fishing License	16 yrs. and over	\$ 11.00
Nonresident 15-day Fishing License	16 yrs. and over	7.75
Nonresident 7-day Fishing License		6.00
Nonresident Junior Fishing License	12-15 yrs. inc.	2.25
Citizen 3-day Fishing License		5.00
Nonresident Big Game Hunting License	12 yrs. and over	33.25
Nonresident Small Game Hunting License	15 yrs. and over	17.25
Nonresident Junior Small Game Hunting License	12-14 yrs. inc.	10.25
Nonresident Archery Deer Hunting License	12 yrs. and over	15.25
Nonresident Trapping License		200.00
Nonresident Guides License	18 yrs. and over	50.00
Resident Hunting License	10 to 15 yrs. inc.	1.00
Resident Fishing License	16 yrs. and over	4.00
Resident Hunting License	16 yrs. and over	4.00
Resident Combination		
Hunting and Fishing License		7.25
*Resident Serviceman Combination License		2.25
Resident Archery Hunting License	10 yrs. and over	5.25
Resident Trapping License (Statewide)		10.00
Resident Trapping License		
(Organized Townships)		5.00
*Resident Guides License	18 yrs. and over	12.50
Resident Deer Transportation License		25.25
Duplicate License		1.00

* Fee effective Jan. 1, 1970:

Resident Serviceman Combination License	\$ 2.35
(Good only for duration of furlough)	
Resident Guides License	\$15.00

Note: All licenses shall expire on Midnight of December 31st of the year of issue.

RONALD T. SPEERS, Commissioner

GEORGE W. BUCKNAM, Deputy Commissioner

Members of Commissioner's Advisory Council:

DR. ALONZO H. GARCELON, Augusta

ARTHUR M. BENNETT, Presque Isle

FRED B. HOWARD, South Portland

REGINALD L. PARKER, Bath

BURLEIGH RICHARDS, JR., Buxton

JAMES MENDELSON, Belfast

BASIL SMITH, Bangor

MAINE DEER CLUB

If you successfully take a deer in Maine, you become eligible for membership in the Maine Deer Club.

Tie-bars in the form of a running Maine buck may be purchased by those who wish to join the Club. Certificates and application forms are available from the game inspection agent who officially registers your kill.

SPORTSMAN'S CODE

A few thousand years ago when a man took his weapon and went out looking for game, it was no one else's business how he did it. This is no longer the case. The hunter is no longer a savage. The privilege of enjoying the wonderful sport of hunting carries with it serious responsibilities that a true sportsman will not ignore. We urge you to subscribe to this SPORTSMAN'S CODE.

1. **Obey the Game Laws.** They represent the best program our Legislators have been able to devise to preserve the continuance of this wonderful sport for next year and the years to come — for all of us.
2. **Be Adequately Armed for the Game You Are Hunting.** Hunt only with a mechanically safe firearm of sufficient power for the use intended. Then bear in mind the ability of that gun to inflict injury to others and yourself.
3. **Respect the Rights of Property Owners.** All your hunting will probably be done on someone else's land. Put yourself in the landowner's position: wouldn't you like to be asked if it's all right to hunt on your land? A few destructive hunters can spoil this fine privilege for everyone else. Stay clear of farm buildings, farm animals, farm children. Lumbermen and woodcutters have a right to be in the woods, too.
4. **Extend Courtesy to Your Fellow Hunters.** You've probably watched a good hunting dog honor another's point. A good hunter should surely be at least as courteous. Give the other fellow plenty of room to work in.
5. **Aim Only for a Clean Kill.** A deer is a beautiful, sensitive animal as well as a wary, intelligent prize. Never shoot at a deer unless enough of the animal is clearly exposed so that you can hit a vital spot. A snap shot at a distant flash of a deer's tail will probably result in either a miss or a wounded deer wandering off to die a slow, wasted, agonizing death. Or you may find you've shot another hunter. Don't have either on your conscience.
6. **Never Forget — Guns don't Kill by themselves. Always Remember — Practice Hunter Safety.**

ON BEING LOST

First of all, don't get lost. Get a good map of the country you will be in and STUDY it. If you don't know how to use it, and a compass, go into the deep woods only with a guide or companion who does know these details.

Secondly, take time to notify a game warden of your planned destination. He is your friend. Get his name and phone number and post them in camp. If a companion is lost, notify the warden immediately.

If you become lost: Don't rush. Sit down and think it over. If still confused and you have been out but a short time, remain there, especially if others know your approximate location.

If you have been out a long time, look for an open space. The shore of a lake, a big meadow, or the top of a high hill, are good in the order given.

Nothing in the Maine woods will harm you.

Build a fire, collect lots of dry wood, keep the fire going. Pile green boughs on it to make a smoke signal.

You can live for days without food if you conserve your energy.

Keep warm, keep calm. Make the woods work for you. Keep that smoke signal going. Our warden planes will spot it and find you.

A WARNING ABOUT HUNTING ACCIDENTS

Fatal accidents frequently involve experienced hunters, who may be overanxious to bag their deer or other game. These accidents are classified under the heading "Mistaken Identity." There isn't any need for them to occur if every hunter will wait until he is sure of his target. Experienced hunters usually hit what they aim at and when human lives are at stake, they should be absolutely certain they are shooting only at game.

The "Ten Commandments of Hunting Safety" point out the pitfalls which cause accidents. Memorize them and live by them in the woods and fields of Maine.

Proper color of hunting clothes can play an important part of a safe hunt. Scientific tests, plus our own accident records show fluorescent blaze orange to be the most protective.

Maine has a club for deer hunters, called "The Biggest Bucks in Maine Club." To qualify, a hunter must shoot a buck deer weighing at least 200 pounds dressed weight. Application blanks are available from game wardens.

HUNTING AND TRAPPING, DEFINITIONS

Sec. 1901. Hunting, alien, jack-light, trapping, resident and game management. In addition to the definition of words and terms mentioned in Chapters 301 to 335, are the following:

1. For the purpose of this chapter, all aliens shall be classified as nonresidents. Any alien who has resided in this State continuously for 1 year and in addition thereto is assessed and pays taxes on real estate in the municipality in which he resides or any alien who has resided in this State continuously for five years may purchase any resident license issued under the provision of Chapters 301 to 335.
2. Any citizen of the United States shall be eligible for any resident license required under the provisions of this chapter, providing such

person is domiciled in Maine with the intention to reside here, and who has resided in this State during the 3 months next prior to the date an application is filed for any license under Chapters 301 to 335.

4. "Firearm," as used in this chapter shall include all instruments used in the propulsion of shot, shell or bullets by the action of gunpowder exploded within it.

9. "To hunt" means to hunt for, pursue, molest, catch, take, kill, wound or destroy wild birds and wild animals.

11. "Jack-light" means any artificial light used while hunting, except lights used and permitted under the provisions of subsection 4 of section 2358.

15. "Sunrise" and "sunset" shall be the time given in the Maine Farmers Almanac and The Farmer's Almanac.

16. The words "to trap" shall mean to trap for wild animals, or the act of trapping or attending to traps.

Sec. 1902. Walls and fences not destroyed, nor gates left open by hunters. No person shall tear down or destroy any fence or wall, or leave open any gate or bars, or trample or destroy any crop on the land of another person while taking, trapping, hunting or pursuing any wild animal, wild bird or fish. In addition to the penalties of section 3060, the Commissioner shall have authority to revoke and forfeit the hunting or fishing license of the person so doing.

Sec. 1904. Keeping of wild animals in captivity; fees; care and treatment. It shall be unlawful for any person to keep any wild animal in captivity for exhibition, or the evident purpose of attracting trade or to have any wild animal in his custody or control for such purpose, except that the Commissioner may grant permits for a "roadside menagerie." Applications therefor shall be made on forms prepared and furnished by the Commissioner. The applications shall show the name and address of the applicant, the location or proposed location of the roadside menagerie, the approximate number of kinds of wild animals being or to be kept, space and method of housing and confinement measures taken to protect the public from injury by any wild animal, and such further information as the Commissioner shall prescribe. Each application shall be accompanied by a fee of \$50.

It shall be unlawful to keep a live bear in captivity at any time without a valid menagerie license.

The holder of such a permit may purchase, sell and transport any wild animals kept by virtue of this section.

Live moose and caribou. The holder of a "roadside menagerie" permit granted by the Commissioner may, in compliance with such rules and regulations as the Commissioner may prescribe, import live moose and caribou for keeping in captivity in his "roadside menagerie" after having received written permission from the Commissioner. Such holder may transport such moose and caribou from place to place for display purposes.

The Commissioner may take moose and caribou into captivity and sell the same to holders of a "roadside menagerie" permit.

Holders of a "roadside menagerie" permit may be issued breeder's permits for moose and caribou, and may sell same, or their offspring, only with the permission of the Commissioner.

The Commissioner is empowered to make rules and regulations for the keeping and disposing of live moose and caribou, and may prescribe and furnish identification to be worn by such moose and caribou.

Sec. 1905. Wild birds or wild animals not imported without written permission of Commissioner. No person shall introduce or import any wild animal, or part thereof, of any kind or species into the State or receive or have in possession such wild bird or wild animal, or part thereof, so introduced or imported without written permission of the Commissioner.

The Commissioner may grant permits to import live or dressed pheasants. No pheasants, either alive or dead, shall be imported without the written permission of the Commissioner. Importers shall, when requesting a permit, provide the Commissioner with information as to the number of pheasants to be imported, the name and address of the seller, and whether or not said birds are live or dressed. Importers of live pheasants or pheasant eggs shall furnish the Commissioner with a statement from an approved veterinarian, the State Department of Agriculture or the Conservation Department of the state from which the pheasants are imported, certifying that they are from flocks which have been tested for pullorum and typhoid, show no evidence of tuberculosis, or other infectious or contagious disease, and have not been exposed to such disease during the 6 months prior to importation. Such statement shall accompany each request for permission to import live pheasants.

Upon receipt of shipment, importers of pheasants shall attach securely to each bird a metallic seal, the type and design of which shall be designated by the Commissioner. Such seal shall remain attached to said birds until they are finally prepared for consumption. Such seal shall be supplied by the Commissioner at a cost of 5c each.

Sec. 2001. It shall be the duty of the inland fish and game wardens to enforce all laws relating to inland fisheries and game and all rules and regulations pertaining thereto, Title 7, chapter 707 and sections 3601, 3602, Title 17, sections 2794 and 2798, Title 32, chapter 65; all regulations of the Federal Migratory Bird Treaty Act, Act of Congress approved July 3, 1918, as amended; all rules and regulations promulgated by the State Park and Recreation Commission relating to hunting, fishing and trapping; to arrest all violators thereof, and to prosecute all offenses against the same.

In addition to their specified duties and power, the wardens are vested with the same powers and duties throughout the several counties of the State as sheriffs have in their respective counties.

Sec. 2004. Fish and game wardens may accept personal recognizances in certain cases. Any warden of the Department making an arrest for any violation of any provision of Chapters 301 to 335, Title 38, chapter 1, subchapter VI and Title 17, chapter 79, section 2251, at a point more than 50 miles distant from the nearest District Court having jurisdiction, may accept the personal recognizances of the prisoner in the sum of not exceeding \$250 for his appearance before the nearest District Court on a specified date and a deposit in money to the amount of said recognizance. Said warden shall forthwith report all such recognizances and forward all such deposits to the court to which such recognizance is returnable.

If such person fails to appear in court on the day specified, either in person or by counsel, the court shall order the recognizance and money deposited forfeited, and shall notify the Commissioner of said default and forfeiture. The default and forfeiture shall be considered a conviction for purposes of revocation of licenses.

All money forfeited as aforesaid shall be immediately forwarded to the Commissioner.

GUIDES

Sec. 2053. Application for licenses, fees, classification, revocation of license. A guide is any person who receives any form of remuneration for his services in accompanying or assisting any hunter or camper in the fields, forests or on the waters within the jurisdiction of the State or any fisherman in the fields, forests or on the inland waters of the State.

No person shall act as a guide until he has procured a license to guide from the Commissioner and he shall not be eligible to guide until he is 18 years of age.

Any person wishing to be licensed as a Maine guide after January 1, 1970 shall submit an application on such forms as the Commissioner may provide. After receipt of such application, the Commissioner may require the applicant to appear before a board of examiners to determine the applicant's qualifications.

The Commissioner may make such regulations as he may deem necessary pertaining to the licensing of guides.

A board of examiners for the licensing of guides shall consist of the Commissioner or such subordinate officer of the department as the Commissioner may designate and 2 wardens of the Department of Inland Fisheries and Game. Hearings will be held in areas designated by the Commissioner and all area applicants shall be notified of time and place at least 2 weeks prior to the hearing.

The Commissioner, upon receipt of the recommendation of the board of examiners, may license such persons as a general guide or a specialized guide and said Commissioner may, at his discretion, change the classification of guides from one class to another.

Guides shall be restricted in the use of motorboats while guiding on such waters as the Commissioner may prescribe. Guides holding a valid USCG license to carry passengers for hire or a valid superior USCG license may use a motorboat for guiding on such Maine coastal waters as permitted by the above-mentioned USCG licenses and on all inland waters of the State. Guides holding a valid license to operate a motorboat carrying passengers for hire issued by the Bureau of Watercraft Registration and Safety may use a motorboat for guiding on all inland waters of the State, except as prohibited by Title 12, section 665.

A fee of \$15 shall be paid annually for a resident guide's license. Nonresidents may be so licensed upon payment of a fee of \$50. Persons licensed under this section may hunt and fish by virtue of their guide's license.

Whenever a guide is convicted of having violated any provisions of the inland fish and game laws, or any of the rules and regulations established by the Commissioner for the licensing of guides, said Commissioner shall suspend a guide's license for 2 years and shall deny the right to hunt or fish for 2 years.

Any person who guides without first having procured a license to do so from the Commissioner shall be subject to a fine of not less than \$50 and each day that he so guides shall constitute a separate offense.

Sec. 2054. Permits for camp trip leaders. Boys' and girls' summer camps located in Maine and duly licensed by the Department of Health and Welfare or located in another state and duly licensed in a similar manner if the laws of said other state so require, having trips other

than on waters adjacent to the location of the main camp, shall have a counselor as a party member who is a holder of a camp trip leader's permit. Said camp trip leader's permits, as approved and granted by the Commissioner, shall be good only for the period of June 15th through September 15th of the year issued, shall be good for only a children's camp sponsored trip and specifically shall not entitle the holder to be in charge of any group other than from said boys' and girls' camp; nor does it grant to said holder any rights to hunt or fish. A counselor to hold said camp trip leader's permit must be 18 years of age. The fee for said permit shall be \$5 for counselors of Maine camps and \$10 for counselors of camps from other states.

Sec. 2101. Game sanctuaries. No person shall except as herein provided, at any time, trap, hunt, pursue, shoot at or kill any wild animal or any game or other wild birds within the following described territories:

Back Bay Sanctuary, Portland	Moosehorn Game Sanctuary
*Baxter State Park closed to all hunting with the following exceptions; The area north of Trout Brook in T6 R9; in T6 R10 or T2 R9 where hunting under General Law is allowed.	Mount Desert Island Bird Sanctuary
Beauchamp Sanctuary	Narragansett Game Sanctuary
Big Squaw Mountain Game Sanctuary	Ocean Park Game and Bird Sanctuary
Drake Island Game Sanctuary	Orrington Game Sanctuary
Dry Pond Sanctuary	Pittston Farm Sanctuary
Fairfield Sanctuary	Prout's Neck; Richmond's Island; Cape Elizabeth Sanctuary
Glencove Sanctuary	Rangeley Game Sanctuary in the County of Franklin
Gray Game Sanctuary	Rangeley Lake Sanctuary
Hog Island Game Sanctuary	Readfield and Winthrop Sanctuary
Jefferson and Whitefield Sanctuary	Salmon Pond Sanctuary
Kineo Point Sanctuary	Somerset Game Sanctuary
Limington, Hollis and Waterboro Sanctuary	Standish Sanctuary
Megunticook Lake and Vicinity Sanctuary	Thornecrag-Stanton Bird Sanctuary
Merrymeeting Bay Sanctuary	Tomhegan Game Sanctuary
Monroe Island Game Sanctuary	Wells Sanctuary
Moosehead Lake Game Sanctuary	Wells and York Game Sanctuary
	Willow Water Game Sanctuary
	York Game Sanctuary in the County of Franklin

Any violations of the provisions of this section relating to game preserves shall be punishable in accordance with the provisions of section 3060 unless otherwise provided.

Sec. 2103. It shall be unlawful to hunt on a state game farm or licensed menagerie at any time.

Sec. 2106. Game breeders licensed. The Commissioner may issue permits to any person, firm or corporation to engage in the business of propagating game or wild animals, or wild rabbits on islands surrounded by open salt water all year under such regulations as he shall establish. He may issue to any person, firm or corporation permit to fence in land for this purpose, providing that the fence shall be of a type which will prevent fur-bearing animals from entering or leaving

the fenced-in area, and except that such permit may be issued without fencing or enclosing land in the case of islands used to propagate rabbits. When it appears that such application is made in good faith, and upon the payment of an annual fee of \$10, said Commissioner may issue to the applicant a breeder's license permitting the breeding and rearing of any species of wild animals within such enclosure or on such island. Such licensed breeders may at any time sell, transport, or kill and sell, and any licensed person, firm or corporation, resident of the State of Maine, may purchase, have in possession or transport any game or fur-bearing animals, or the skins thereof, raised by virtue of the provisions of this section, under such regulations as said Commissioner may establish. No person shall engage in the business of breeding or rearing any game or fur-bearing animals except domestic rabbits and chinchillas at any time without first having procured a breeder's license as provided in this section. It shall be unlawful for any person, firm or corporation to engage in the business of propagating or rearing white-tailed deer at any time.

The Commissioner may issue permits to any person, firm or corporation to take, have in possession, band and transport wild birds and wild animals for scientific purposes. He may issue such rules and regulations as may be necessary.

Every licensed game or fur farmer and every person authorized to takes birds or wild animals or fish for scientific purposes shall, on or before the 31st of December of each year, make detailed report to said Commissioner of all he has done during the year by virtue of such license or permit, on blanks, to be furnished by the said Commissioner.

Sec. 2107. Hunting or possessing firearms within limits of game sanctuaries. No person shall at any time hunt, trap, 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 sanctuary or closed territory except as provided in chapters 301 to 335, and except that the Commissioner is authorized to regulate the trapping of wild animals thereon and to use such means as may seem necessary to exterminate vermin of any description in all game sanctuaries and in any other localities where damage is being done.

Sec. 2154. Game Management Areas. Bartlett's Island, Christopher Lake, Colby College, Oak Grove, Town of Deer Isle, Stonington and Marsh Island, Orono.

Sec. 2154-A. State-owned wildlife management areas. Brownfield; Chesterville; Fahi Pond, Somerset County; Frye Mountain, Waldo County; Great Works, Washington County; Jonesboro; Long Lake, Aroostook County; Lyle Frost, Hancock County; Madawaska, Somerset County; Manuel, Aroostook County; Mercer Bog, Somerset County; Newfield, Old Pond Farm, Penobscot County; Orange River, Washington County; Pennamaquam, Washington County; Ruffingham, Waldo County; St. Albans; Sandy Point, Waldo County; Scarborough; Swan Island, Sagadahoc County; Weskeag Marsh, Knox County.

Sec. 2252. Lumber camps not to use certain game as food. No owner, keeper or employee thereof or any other person shall have in possession any protected game bird or game animals, or parts thereof, at any time for the purpose of serving or consuming the same in any camp, house or other building used partly or wholly in lumbering operations, log driving or construction of any kind.

It shall be prima facie evidence of a violation of this section on the part of any keeper or owner of such camp used in lumbering or construction operations to have in his possession in such camp any animal or bird, or parts thereof, described in this section.

Sec. 2301

3. Indians to have free hunting, trapping and fishing. The Commissioner shall issue a hunting, trapping and fishing license to any Indian over the age of 10 years of the Passamaquoddy and Penobscot tribes without any charge or fee, providing the Indian presents a certificate from the Commissioner of Indian Affairs stating that the person described is an Indian and a member of that tribe. For the purpose of this section, an Indian shall be any member on the tribal lists of the Penobscot and Passamaquoddy tribes of Indians. Holders of such licenses shall be subject to all of the laws, rules and regulations of Chapters 301 to 335.

A. Nothing in said chapters shall be construed to encroach upon the right of said Indians to take wild life for their own sustenance on their own reservation lands.

After having had full consultation with and the consent of the Commissioner of Inland Fisheries and Game, the tribal governor and council of each reservation shall have the right to govern by tribal ordinance hunting, fishing and trapping by Indians on their respective reservation lands. Copies of the text of any ordinances adopted shall be filed with the Commissioner of Inland Fisheries and Game and in any and all instances not covered by tribal ordinance the inland fish and game laws of Maine shall apply.

Sec. 2301

4. A license to hunt or fish shall be issued, at the resident license fee, to any civilian employee and immediate family, residing on any military or naval post, station or base within the State. Said civilian employee and immediate family, desiring a hunting or fishing license, must present certification from the commander of said bases or his designated agent, that the person mentioned in the certification is such a civilian employee and immediate family residing on said bases for a period of 3 months.

Licenses shall be issued by the clerk of the town in which said Air Force Base is situated.

Holders of such licenses shall be subject to all the laws of the State and the rules and regulations of the Commissioner regulating hunting and fishing; and for violations of said laws or rules and regulations, such license shall be revoked in the same manner as provided in Chapters 301 to 335 for the revocation of hunting and fishing licenses.

Sec. 2302. The commissioner shall revoke the hunting license of any person who is convicted of violating sections 2352, 2353, 2451 to 2455, 2458, 2462, 2464, 2467 and 2801 for a period of one year from the date when he is notified of said conviction.

On conviction of any person holding a license or licenses issued under Title 12, Chapters 301 to 335 and Title 32, Chapter 65 of the violation of any of the sections of said chapter not hereinbefore mentioned or of any rules or regulations of the Commissioner, the Commissioner may revoke any license or licenses held by such person for a period of not

less than 3 months nor more than 1 year from the date when notified of said conviction as hereinafter provided.

Any person whose license or licenses has been revoked under the provisions of the 2nd paragraph of this section may request a hearing by the Commissioner, at which hearing all the facts concerning the violation shall be presented and the license or licenses may be reinstated.

If at the time of committing a violation of any of the provisions of Title 12, Chapters 301 to 335, or Title 32, Chapter 65, the offender shall not be the holder of a license or licenses to conduct the particular activity in which he was engaged at the time of such violation, the Commissioner may not issue any license to said person until 1 year has elapsed from the date of final determination of any complaint or legal proceedings instituted as a result of the violation.

A conviction of a 2nd violation of any of the provisions of Title 12, Chapters 301 to 335, or Title 32, Chapter 65 or a violation of any of the rules and regulations of the Commissioner may require the Commissioner to revoke the license or licenses of such offender for a period of 2 years from the date of the final conviction of the alleged violation.

During such time as a person's licenses are under revocation or suspension under this section or under section 2953, it shall be unlawful for that person to engage in that particular activity permitted by the license or licenses which have been revoked or suspended.

It shall be unlawful for any person to purchase any license or licenses which have been suspended or revoked by the Commissioner under this section or under section 2953.

Clerks of the District Court, and clerks of superior courts upon conviction of any person for violation of any of the provisions of Title 12, Chapters 301 to 335, Title 32, Chapter 65, shall immediately forward to the Commissioner a transcript of the records of said proceedings with a record of any appeal entered on any judgment or sentence of said court.

It shall be unlawful for any person to have in his possession any license issued under Chapters 301 to 335 or Title 32, Chapter 65, which has been altered, tampered with or mutilated in any manner.

Sec. 2303. Expiration date of licenses. All licenses and permits issued under the provisions of Chapters 301 to 335 shall expire at midnight on December 31st of the calendar year in which the license or permit was issued, unless the license or permit specifically provides otherwise.

Sec. 2351. Traps visited every 24 hours. Any person trapping in any organized or incorporated place shall visit each trap or cause the same to be visited at least once in every calendar day including Sunday, except beaver sets, so called, and remove therefrom or cause to be removed any animal found caught therein. No person shall trap, except for beaver, on or in any organized or incorporated place, or in any unorganized place on the cultivated or pasture area of land that is used for agricultural purposes, and on which land there is an occupied dwelling, or within 200 yards of any occupied dwelling without first obtaining the written consent of the owner or occupant of the land on which said trap is to be set. It shall be the duty of the landowner or occupant to prove his ownership or occupancy of the land in question before any prosecution is made under this particular part of this section.

No person shall trap outside his own land, within $\frac{1}{2}$ a mile of the compact built up portion of any city or village, except by the use of

water sets, so called, for mink and muskrat. A water set shall be a trap so set that it shall be completely covered by water at all times. Provided further, that any person who has a written permit from the landowner may trap only with water sets, so called, within $\frac{1}{2}$ mile of the built up section of any city or village.

Sec. 2352. Federal regulations on migratory game birds to govern; open season on partridge and pheasants. No person shall hunt or have in his possession any eagle.

There shall be a closed season on partridge or grouse from November 16th to September 30th of the following year, both days inclusive. There shall be a closed season on pheasant from December 1st to September 30th of the following year. No person shall at any time buy or sell any partridge, grouse or pheasant. No person shall have in possession any partridge or pheasants taken in closed season.

During the open season, it shall be unlawful for any person to shoot, take, kill or have in possession more than 4 partridge and more than 2 pheasants taken, shot or killed in any one day, or to have more than 8 partridge and more than 4 pheasants in possession at any one time.

Except as provided in this section it shall be unlawful for any person to hunt, capture, kill, take, possess, transport, buy or sell any migratory game bird at any time. It shall not be deemed to be a violation of Chapters 301 to 335 to hunt, capture, kill, take, possess, transport, buy or sell any migratory game bird or part thereof at the times, in the manner and numbers, and by the means specifically permitted by regulations adopted and approved pursuant to the provisions of the Federal Migratory Bird Treaty Act. (Act of Congress approved July 3, 1918), as amended.

No person shall hunt, molest, shoot or kill any waterfowl on Haley Pond in the Town of Rangeley and Dallas Plantation in the County of Franklin.

If, in the opinion of the Commissioner, it is in the best interests of the migratory bird population in the State to have a shorter season, fewer shooting hours or a smaller bag limit than the Federal regulations permit, the Commissioner may, after public hearing, promulgate such regulations as he considers to be in the best interests of the migratory bird population. Notice of the hearing to be held and the time and place thereof shall be by publication once a week for 2 successive weeks prior to the hearing in newspapers having a state-wide circulation. If, as a result of the hearing, the Commissioner promulgates any regulations, they shall be reduced to writing and published once a week for 2 successive weeks in newspapers having state-wide circulation. The Commissioner shall file a certified copy of the regulations with the clerks of the Superior Courts in the 16 counties of the State and with the Secretary of State.

Any person convicted of violating any of the provisions of this section shall be punished by a fine of not less than \$50 and in addition thereto by a fine of \$25 for each bird illegally killed, taken or possessed, and such fines shall not be suspended, or by imprisonment for not less than 30 nor more than 90 days, or by both fine and imprisonment.

Sec. 2353. Closed time on deer in certain counties.

For purposes of regulating open seasons on deer, the State shall be divided into the following 2 zones:

Northern Zone: North of the Canadian Pacific Railway tracks.

Southern Zone: South of the Canadian Pacific Railway tracks.

There shall be an open season on deer in each calendar year in the 2 zones as follows:

Northern Zone: October 15th to Saturday following Thanksgiving.

Southern Zone: The month of November.

There shall be a continual closed season on deer on Mt. Desert Island, Cross Island and Scotch Island in Washington County, and in the town of Isle au Haut, and the islands within the confines of the town of Isle au Haut, which last mentioned town is in the county of Knox, and in game sanctuaries which have been established by law where the closed season shall be perpetual.

There shall be a continual closed season on deer on all of Swan Island, located in the County of Hancock, except that it shall be lawful to hunt with bow and arrow in accordance with sections 108 to 112 during the month of October and the month of November of each calendar year.

It shall be unlawful for any person to hunt deer after he has killed or registered one during the open season of that calendar year.

There shall be a continual closed season on deer in the Town of Islesboro, located in the County of Waldo, except that it shall be lawful to hunt with bow and arrow in accordance with sections 2501 to 2505 during the month of October and the month of November of each calendar year.

There shall be a continual closed season on deer on the whole of Cranberry Isles, Hancock county.

There shall be a continual closed season on deer on the whole of Long Island in Long Island plantation, located in the county of Hancock.

There shall be an open season on deer in the Town of Vinalhaven, and the islands within the confines of the Town of Vinalhaven, to conform with the open season on deer for Knox county. The use of any firearm other than a shotgun is prohibited.

There shall be an open season on deer in the Town of Southport, and the islands within the confines of the Town of Southport, to conform with the open season on deer in Lincoln County. The use of any firearm other than a shotgun during such open season shall be unlawful.

During the closed seasons, except as otherwise provided, it shall be unlawful to hunt any deer or have in possession any part thereof; and except as otherwise provided, no person shall have in possession more than one deer or part thereof during any open season.

A person lawfully killing a deer during the open season may have the same in his possession during a closed season provided the deer has been properly registered in accordance with the provisions of section 2355.

Any person convicted of violating any of the provisions of this section shall be punished by a fine of not less than \$100 and costs, which fine and costs shall not be suspended, or by imprisonment for not more than 90 days, or by both.

Sec. 2354. Crop and orchard damage.

1. The cultivator, owner, mortgagee or keeper of any orchard or growing crop, including legumes, except grass, or the owner or occupier of land whereon said crops or orchards are located, may take or kill deer or other protected wild animals, except beaver or birds, night or day, on said land where substantial damage is being done by said deer or other protected wild animals to said orchard or crop. Such person may authorize a member of his immediate family or someone em-

ployed by him to take or kill said deer or other protected wild animal. Such person, whenever he employs someone not domiciled on said land where the damage is being done to take or kill said deer or other protected wild animal, shall apply to the game warden in charge of the district in which the crops or orchard is located for permission to employ such person or persons and shall receive permission from said game warden in writing.

A person by whom, or under whose direction, such deer or other protected wild animal is wounded or killed shall within 12 hours report all the facts relative to such act to a fish and game warden, stating the time and place of such wounding or killing. Such person who kills such deer or other protected wild animal shall immediately properly dress the carcass or carcasses and care for the meat. The fish and game warden shall immediately investigate the case and if he is satisfied that the deer or other protected wild animal was taken as provided in this subsection, he shall give such person a certificate of his finding in the matter. Such certificate shall entitle such person to the ownership of the carcass or carcasses, to be possessed and consumed only within the immediate family of the person to whom certificate was given.

2. It shall be unlawful to place salt or any other bait or food in any place for the purpose of enticing deer thereto.

3. Whenever deer are doing damage to orchards and crops, including legumes, except grass, the department shall furnish to the owner or agent of such orchards and crops suitable repellants without cost to such owner or agent; and the Commissioner may follow such other good conservation practice as will alleviate such damage. No claims for crop or orchard damage by deer or other protected animals or birds shall be paid by the State from any source or fund.

4. Whenever the Commissioner deems it impossible to keep deer from doing damage to young orchards, he may enter into an agreement with the owner of such orchard whereby the department will assume $\frac{1}{2}$ the cost of fencing such orchard.

Sec. 2355. Registration and transportation of deer.

1. **Registration stations.** The Commissioner shall establish deer registration stations for the purpose of registering all deer killed. Said stations shall be in charge of an agent designated by the Commissioner and a list of the same shall be published in one or more daily newspapers of the State. Said agents shall register each and every deer legally presented for registration, and shall attach a metal seal to each deer in the manner as directed and with the materials furnished by the Commissioner. Said agent shall receive from the person registering a deer the sum of 25c for each seal to be retained by him.

2. Registration and tags.

A. No person shall at any time in any manner move or transport any deer, or part thereof, unless open to view and there is securely attached thereto the deer tag portion of the hunting license bearing the name and address of the person who killed said deer and said deer shall be accompanied by him while being moved or transported, except as otherwise provided in Chapters 301 to 335.

B. All deer killed shall be presented for registration at the first open deer registration station on the route taken by the person who killed said deer and said deer shall be registered in his name.

C. No person shall present a deer for registration or allow to be registered in his name any deer which he himself did not kill.

Deer at home or left in woods.

A. No person shall keep a deer at his home, or at any place of storage, except a deer registration station, more than 12 hours unless said deer has been legally registered.

B. Prior to presenting a deer for registration it shall be unlawful for any person to possess or to leave in the fields or forests a deer which he has killed which does not have securely attached thereto, and plainly visible, the deer tag portion of his hunting license bearing his full name and address. Any deer so found to which the deer tag portion of said license has not been attached, shall be seized and disposed of as directed by the commissioner.

4. **Possession without registration.** No person shall have in possession at any time any parts of a deer which has not been legally registered as provided in this section, except in accordance with sections 2354 and 2951.

5. **Giving deer away; label.** It shall be lawful for the owner of any legally registered deer to give away not to exceed $\frac{1}{2}$ of said deer. Notwithstanding subsection 2, paragraph A, no person shall have in his possession any part or parts of a deer given to him unless each separate part is plainly labeled with the name and address of the person who registered the deer and the name and address of the person to whom it was given and if said part be transported by any 3rd party that the name and address of the party transporting the same be affixed thereto. This subsection shall not apply to any deer or parts of deer being transported by a Maine licensed transportation company, including common carriers, in accordance with other provisions of Chapters 301 to 335.

6. **Transportation within State.** Any resident of this State, who has legally killed and registered a deer may have said deer transported within the State, without accompanying the same, by purchasing a deer transportation tag which shall be attached to said deer while being transported. This deer transportation tag shall cost \$2.25, 25c to be retained by the issuing agent.

7. **Transportation beyond State.** Any resident of this State, who has legally killed and registered a deer may transport said deer or have the same transported beyond the boundaries of this State by purchasing a deer transportation tag which shall be attached to said deer while being transported. This deer transportation tag shall cost \$25.25, 25c to be retained by the issuing agent, except that no fee shall be required of any resident of this State who is serving in the Armed Forces of the United States.

8. **Nonresident.** Any nonresident who has legally killed and registered a deer may have said deer transported beyond the boundaries of this State under the following condition:

A. Said deer or parts thereof may be transported by a Maine licensed transportation company, including common carriers.

B. Said deer or parts thereof may be transported by other than a Maine licensed transportation company, including common carriers, when accompanied by a nonresident transportation permit which may be obtained by the licensee from an inland fish and game warden in whose district the deer was killed, or from any inland fish and game warden supervisor.

9. **Printing on nonresident license.** There shall be printed upon the back of the deer coupon portion of a nonresident license, which shall be attached to each deer so transported, the following words: **THIS DEER WAS SHOT IN THE STATE OF MAINE.** The first 8 words

shall be printed in 18-point caps and the word "Maine" in 96-point Gothic type.

10. **Application.** Except as provided in this section, no person shall transport or attempt to transport any deer or parts thereof beyond the limits of this State.

Sec. 2355-A. Closed time on bear. There shall be a closed season on bear from January 1st to May 31st in each calendar year.

Sec. 2355-B. Bag limit on bears. It shall be unlawful for any person to shoot, trap, take or kill, or have in possession more than one bear in any calendar year, except the Commissioner may authorize the taking of nuisance bears and except any cub born during such calendar year.

Sec. 2355-C. Registration of bear. The Commissioner shall establish bear registration stations for the purpose of registering all bear killed. Said stations shall be in charge of an agent designated by the Commissioner and a list of the same shall be published in one or more daily newspapers of the State. Said agents shall register each and every bear legally presented for registration, and shall attach a metal seal to each bear in the manner as directed and with the materials furnished by the Commissioner. Said agent shall receive from the person registering a bear the sum of 25c for each such seal to be retained by him.

All bear killed shall be presented for registration at the first open bear registration station on the route taken by the person who killed said bear and said bear shall be registered in his name.

No person shall present a bear for registration or allow to be registered in his name any bear which he himself did not kill.

If any person leaves the woods without taking a bear which he has killed with him he shall notify a warden within 72 hours as to the location of the bear and the circumstances necessitating his leaving the same in the woods.

No person shall keep a bear at his home, or at any place of storage except a bear registration station, more than 72 hours unless said bear has been legally registered.

No person shall have in possession at any time any parts of a bear which has not been legally registered as provided in this section, except in accordance with section 2354.

Sec. 2356. Closed time on wild hares and rabbits; transportation of. There shall be an open season on wild hares or rabbits from October 1st to the following February 28th in the Counties of Cumberland, Androscoggin and Sagadahoc.

There shall be an open season on wild hares or rabbits from October 1st to the following March 31st in the Counties of Aroostook, Penobscot, Piscataquis, Somerset, Franklin, Oxford, Kennebec, Knox, Lincoln, Waldo and Hancock.

It shall be unlawful to hunt wild hares or rabbits in the Counties of Hancock, Knox, Lincoln, Sagadahoc and Waldo with dogs during the open season on deer.

There shall be an open season on wild hares or rabbits from October 1st to the following March 20th in the County of York.

There shall be an open season on wild hares or rabbits from October 1st to the following March 31st in the County of Washington. It shall be unlawful to hunt wild hares or rabbits in the County of Washington with dogs from November 1st to November 30th.

During the open season it shall be unlawful for any person to shoot, take, kill or have in possession more than 4 rabbits taken, shot or killed in any one day and not more than 8 rabbits so shot or killed in possession at any one time.

No person shall set or use any snares or traps or use any other device in the hunting of wild hares or rabbits or hunt the same in any except the ordinary method of shooting with guns or long bow and arrow; provided, however, that it shall be lawful at any time for the Commissioner to take and transport live hares or rabbits by purchasing live hares or rabbits from local trappers who may take the hares or rabbits by box traps for this purpose throughout the several counties of the State, whenever he may deem it necessary for the proper distribution and conservation of said animals.

It shall be unlawful for any person or corporation to transport or offer for transportation at any time any wild hares or rabbits destined beyond the limits of the State.

The provisions of this section shall not be construed to prohibit the holder of a nonresident hunting license from transporting to his home dead wild hares or rabbits which he has legally killed by virtue of his said nonresident hunting license.

It shall be unlawful for any person to have in possession or transport at any time any wild hares or rabbits taken during the closed season or by any method or with any device prohibited by this section.

It shall be unlawful for any person to buy, sell, or offer for sale any wild hares or wild rabbits.

The provisions of this section shall not apply to the propagation of wild hares or rabbits on islands surrounded by open salt water all year.

Whoever violates this section shall be punished by a fine of not less than \$50 or by imprisonment for 30 days, or by both.

Sec. 2357. Closed time on gray squirrels. There shall be a closed season on gray squirrels from the 1st day of December to the 30th day of the following September, both dates inclusive.

During the open season it shall be unlawful for any person to shoot, take, kill or have in possession more than 4 squirrels taken, shot or killed in any one day and not more than 8 squirrels shot or killed, in possession at any one time.

There shall be a perpetual closed season on gray squirrels within the limits of lands dedicated as public or private parks and within the limits of compact or built up portions of any city or town.

Sec. 2358. Trapping season. Except as provided in this chapter, there shall be a perpetual closed season on hunting or trapping any wild animal.

Game and fur-bearing animals taken during any open season shall not be kept alive into or during closed season periods except in accordance with the provisions of section 2106; provided, however, the Commissioner may issue a permit to any individual to keep in captivity a skunk, fox or raccoon and may revoke any permit so issued at any time. All permits so issued shall be valid only for the calendar year in which they were issued and the fee for same shall be \$10.

1. The Commissioner may declare an open season on muskrats that are polluting water supplies or damaging property if the owner makes a written complaint thereof to the Commissioner. Muskrats shall not

be taken by the use of wire nets, box traps or any trap other than the ordinary steel trap.

The open season on mink shall be during the month of November.

The open season on muskrats in that area of the State north of the CPRR tracks shall be from November 1st to May 15th of each year, except that the open season on muskrats in that area of Somerset County north of the CPRR tracks shall be from October 21st to May 15th of each year. During the period from April 1st to May 15th of each year, it shall be unlawful to trap muskrats with any trap other than a killer-type trap in that area of the State north of the CPRR tracks.

The open season on muskrats in that area of the State south of the CPRR tracks shall be from November 1st to April 30th of each year. During the period from March 15th to April 30th of each year, it shall be unlawful to trap muskrats with any trap other than a killer-type trap in that area of the State south of the CPRR tracks.

The open season on otter shall be the months of November, January and February of each calendar year.

There shall be an open season on fisher during the months of November and December of each year. The Commissioner may lengthen, shorten or close such fisher season as he may deem necessary.

It shall be unlawful for any person to have in possession at any time any fisher, or part thereof, except as expressly permitted by this section. It shall also be unlawful for any person to sell, give away, buy, accept as a gift, offer for transportation or transport any fisher skin or fisher skins, unless each skin is tagged and marked as directed by the Commissioner.

Any fisher skin or fisher skins that come into this State in any manner from any other state or country must have the official stamp, tag or seal of the state or country from which said skin or skins were taken. All fisher skins shall be presented for tagging or marking within 10 days from the closing of the so-called open season.

All fisher skins must be presented to the warden supervisor in whose division they were caught and if said supervisor is reasonably satisfied that the fisher presented were legally killed in his division, he shall tag and mark the same in the manner as directed and with the materials furnished by the Commissioner. A fee of 50c must be paid by the trapper for each skin tagged and marked.

There shall be no open season on sable (marten) and Canada Lynx.

The open season on all other wild or fur-bearing animals, excepting bobcats and beaver, shall be from November 1st of each calendar year to February 15th in the next following year.

Animals may be trapped with common ordinary steel traps and only size No. 110 and 120 killer-type traps. Killer-type traps larger than No. 120 may be used only under water. Killer-type traps shall include the so-called Conibear trap and all other traps of that type.

It shall be legal to use No. 220 killer-type trap, out of water, as long as such trap is set at least 4 feet above the ground or snow.

2. It shall be unlawful for any person to set or place a trap within 25 feet of a muskrat den or house at any time, or to molest or destroy the muskrat house or den. No person shall make any advance preparation on the trapping grounds for the taking of beaver or muskrat previous to the open season on these animals.

3. It shall be lawful to trap hedgehogs or bobcats at any time anywhere in the State, and it shall be lawful to hunt hedgehogs or bobcats at any time anywhere in the State except during Sundays and in the nighttime, except as otherwise provided. It shall be unlawful to trap bear in the State from January 1st to June 1st of each calendar year.

The use of the so-called cable trap shall be lawful for use in trapping bear in the State during the open season on bear. The cable trap shall be exempt from the provisions of the 3rd paragraph of section 2451 relating to bear. Cable traps shall have a closing diameter of not less than 2½ inches.

4. Raccoons may be hunted during the period from September 1st to December 15th of each year. Hunting of raccoons from ½ hour after sunset to ½ hour before sunrise during said period may be done under the following conditions:

- A. The hunter must be accompanied by a dog when hunting raccoons;
- B. An electric flashlight of not more than 3 cells may be used while locating or taking the animal found by a dog; and
- C. No firearm may be in the possession of the hunter except a pistol using no greater power than .22 caliber long rifle ammunition may be used.

5. Any person may lawfully kill any wild animal, excepting beaver, or any wild bird, except a bald eagle, found in the act of destroying that person's property.

6. All of the rest of the calendar year which is not specifically opened to trapping shall be deemed to be a closed season.

7. It shall be lawful to hunt and kill raccoons on the islands of North Haven and Vinalhaven, in the county of Knox, at any time except on Sunday and at night. Night shall be the period from ½ hour after sunset until ½ hour before sunrise of the following morning; except that it shall be lawful to hunt raccoons during the open season as provided in subsection 4.

8. **Spring and fall trapping by Penobscot Indians.** In addition to any open trapping season provided by this section, there shall be an open season on muskrats from November 1st to April 30th on all lands and islands belonging to the Penobscot Tribe of Indians. It shall be unlawful for any person not a member of said Penobscot Tribe to trap muskrats during such open seasons on said Indian lands.

9. **Spring and fall trapping by Passamaquoddy Indians.** In addition to any open trapping season provided by this section, there shall be an open season on muskrats from November 1st to April 30th on all lands and islands belonging to the Passamaquoddy Tribe of Indians. It shall be unlawful for any person not a member of said Passamaquoddy Tribe to trap muskrats during such open seasons on said Indian lands.

Sec. 2359. Game laws on raccoons suspended. The Commissioner is empowered to suspend the game laws in respect to raccoons in such restricted localities and for such periods of time as he finds it advisable to relieve excessive damage being done by them to sweet corn or other crops, provided further, that the Commissioner is empowered to suspend section 3602 for the purpose only of allowing dogs to be used in hunting and killing raccoons, providing the dogs are under the personal supervision of the owner or trainer at all times, for such periods of time as the Commissioner finds it advisable.

Sec. 2360. Open season on beaver; taking; stamping; transportation. There shall be an open season for the trapping of beaver during the months of January and February of each year. The Commissioner may lengthen, shorten or close such beaver season as he may deem necessary.

Whenever the Commissioner shall cause the beaver season to be lengthened, shortened or closed, he shall cause said change in the season, or closing of the season, to be reduced to writing and publish the same once in a newspaper having state-wide circulation and once in a newspaper published in the county where the waters are situated and which are affected thereby. Said publications shall be prior to October 15th preceding such lengthening, shortening or closing of the beaver season. The Commissioner shall file a certified copy of any change in the regular beaver season, or closing of the season, with the Secretary of State and with the clerk of the Superior Court of the county in which the waters affected are situated prior to November 1st preceding such lengthening, shortening or closing of the beaver season. If unusual conditions should adversely affect the beaver population in any area of the State during an open season, the Commissioner may declare an emergency and close the season at any time. The Commissioner shall, prior to November 1st of each year, forward to the holder of each state-wide trapping license an abstract of the forthcoming beaver season.

It shall be unlawful to hunt beaver with firearms or bow and arrow.

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 2106. 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 \$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 bear the official stamp, tag or seal of the state or country from which said skin or skins were taken. Any beaver skin or beaver skins that come into this State in

any manner from any other state, country or province thereof which does not require an official stamp, tag or seal of that state, country or province thereof, shall be tagged in accordance with this section by the person possessing such skins.

No person, except as hereinbefore provided, shall molest or destroy any beaver dam or set or tend any trap within 10 feet of a dam which is maintaining a live colony of beaver. No person shall molest or destroy any beaver house or set any trap within 25 feet of the same. No person shall set or tend any beaver trap within 4 feet of a beaver trap which has been set by another trapper.

There shall be an open season for the trapping of foxes from October 21st to February 15th in the next following year.

Sec. 2361. Digging out foxes and skunks. It shall be lawful to dig out foxes and skunks at any time and to hunt foxes and skunks at any time, except Sunday and in the nighttime. It shall be lawful to trap foxes and skunks or to cause to have foxes and skunks trapped at any time on one's own land within a distance of 100 yards from a shelter or range where poultry is raised or kept.

Sec. 2362. Hunting mink, otter and fisher. It shall be unlawful to hunt mink and otter with firearms or bow and arrow, except as otherwise provided in section 2364.

Sec. 2363. Hunting mink and otter by Indians. It shall be lawful for members of the Penobscot or Passamaquoddy Indian Tribes to hunt mink and otter with bow and arrow or firearms on lands or islands within their possession.

Sec. 2364. Hunting mink. It shall be lawful, except on Sunday and in the nighttime, to hunt mink with firearms or bow and arrow in Cumberland, Lincoln and Sagadahoc Counties during the month of November of each calendar year.

Sec. 2401. Hunting licenses for residents and nonresidents; fees. No person shall hunt or have in possession wild birds, or parts thereof, or wild animals, or parts thereof, except in accordance with the following provisions:

1. Any resident over 10 years of age and members of his immediate family over 10 years of age may hunt without a license on any single plot of land in excess of 10 acres to which they are legally entitled to possession, and on which they are actually domiciled and which land is used exclusively for agricultural purposes.
2. Any resident domiciled in this State, over 10 years of age may hunt wild birds and animals provided he has first procured from the Commissioner or his authorized agent a written license which shall be kept on the person while hunting or transporting birds, or parts thereof, and animals, or parts thereof, and which shall be exhibited to any warden, employee of this Department, guide or landowner, upon request.
3. For the purpose of issuing licenses, the Commissioner may appoint clerks of towns or other agents as he deems necessary and shall determine the period during which they shall act.

The license may be issued to a resident by the clerk or agent in the town in which the applicant resides, or if domiciled in an unorganized territory, then by the clerk or agent in the nearest town, upon payment of a fee of \$1.00 if the applicant is under 16 years of age and \$4.00 if

the applicant is 16 years of age or older, of which 35c shall be retained by the town clerk or agent. A hunting license issued to a resident under 16 years of age shall be considered valid through the calendar year in which the applicant reaches his 16th birthday, providing said birthday falls after July 1st of said year. The Commissioner may appoint agents in unorganized towns for the purpose of issuing resident hunting licenses to the residents domiciled in that unorganized town.

A combination of hunting and fishing license may be issued on payment of \$7.25, 35c to be retained by the town clerk or agent. Each agent shall forward to the Commissioner on the 1st day of each calendar month all of the funds collected by him during the previous calendar month, together with a list of the persons and the kind of licenses issued to them. The funds received by the Commissioner shall be deposited in the State Treasury. Each agent shall be entitled to retain the sum of 35c for each license issued.

4. Any nonresident over 12 years of age may hunt wild birds and animals provided he has first procured from the Commissioner or his authorized agent a written license which shall be kept on the person while hunting or transporting birds, or parts thereof, and animals, or parts thereof, and which shall be exhibited to any warden, employee of this Department, guide or landowner upon request. Nonresident hunting licenses shall be of 2 classes; one class shall be issued upon the payment of \$17.25, which will license the holder to hunt wild birds or animals during the open season therefor, except bear and deer; the other class shall be issued upon the payment of \$33.25, which will entitle the holder to hunt wild birds and animals including bear and deer during the open season therefor. The agent issuing the license shall be allowed to retain 35c from the license fee.

5. Each license shall expire at midnight December 31st of the calendar year for which it is issued. Licenses may be issued prior to the date upon which such license may be in force. Application blanks and licenses shall be furnished by the Commissioner in such form as he shall designate.

6. Any nonresident between the ages of 12 and 15 years may buy a junior nonresident hunting license entitling him to hunt wild birds and animals during the open season therefor, except deer, upon payment of \$10.25. Any nonresident over the age of 12 years may purchase the \$33.25 license to hunt wild birds and animals, including deer; provided, however, that between the ages of 12 and 16, the application shall be accompanied by the written consent of his or her parent or guardian; and provided further, that each nonresident must be accompanied at all times while hunting by parent or guardian or an adult approved by parent or guardian.

Any resident between the ages of 10 and 16 may hunt with firearms, if accompanied at all times while hunting by a parent or guardian or by an adult approved by parent or guardian.

No resident under the age of 10 years and no nonresident under the age of 12 years may hunt wild birds or animals with firearms at any time.

7. It shall be unlawful for a town clerk to willfully issue any resident license to a person not a resident of the municipality in which the license is issued.

8. Failure to produce such license within a reasonable time when requested by any authorized person shall be prima facie evidence of a violation of this section.

9. All funds derived from the sale of licenses under Chapters 301 to 335 shall be used for the management, propagation and protection of all birds, animals, fish life, conservation education and other expenses incident to the administration of these functions.

Provided further, that if any of such funds are not expended during the year in which they were collected the unexpended balance shall not lapse, but shall be carried as a continuing account available for the purposes herein specified, until expended.

10. **Mentally ill individuals.** No license specified in this section shall be issued to any person who is a mentally ill individual as defined in Title 34, section 2251, or has a mental deficiency or mental illness as those terms are defined in Title 34, section 2562.

Duplicate licenses; fees. The Commissioner shall issue a duplicate license to any person who has accidentally lost or destroyed any license issued to him under the provisions of this chapter, upon payment of a fee of \$1.00 *Note.

Sec. 2402. Trapping licenses; fees. Any resident who traps for any wild animal shall annually procure a license therefor from the Commissioner, paying therefor \$10. The annual fee for such trapping within the limits of municipalities of the State shall be \$5. Whoever traps for any beaver on any land in the State open to beaver trapping by said Commissioner shall pay therefor a fee of \$10 annually, and an additional fee of \$1 for the tagging and marking of each skin as required by law, skins to be so tagged and marked by a warden supervisor as provided in section 2360. The fee for a nonresident for a trapping license shall be \$200. Any resident under 16 years of age may trap for any wild animal, except beaver, in the municipalities without a trapping license; in unorganized townships a license is required. Any resident or his immediate family may hunt or trap for wild animals, except beaver, in accordance with the laws of the State without such trapping license on land to which he is legally entitled to possess and which is used by him and his family exclusively for agricultural purposes, and on which he is actually domiciled, within the limits of an organized township. Whoever traps for any wild animal in violation of any provision of this section, or whoever has in his possession at any time any wild animal, or part thereof, taken in violation of any provisions of this section, shall be subject to the penalties provided for in section 3060. Any person who has been found guilty of breaking and entering, or of larceny, shall not be eligible thereafter to obtain a trapper's license. Any person aiding, assisting or helping another in trapping or attending to traps shall be considered as a trapper and must procure a license therefor.

See free trapping for Indians.

* Increased fees effective Jan. 1, 1970.

Sec. 2451. Use of snares; guns set on swivels; poisons; traps labeled; bear traps enclosed in huts. No person shall set or tend a snare, or a swivel, pivot or set gun, or use or deposit any poisonous or stupefying substance for the purpose of killing, taking, catching, wounding, harming or molesting any wild animal or wild birds except that gas cartridges may be used by any landowner or member of his immediate family on his own land for woodchuck control. Any snare, or swivel, pivot or set gun, or poisonous substance, and any wild animal or wild bird taken by use of the same, shall be forfeited to the State. The Commissioner or his duly appointed agents in an emergency may use

such devices or methods as are necessary for control of wild dogs or other wild animals when approved by the Advisory Council.

No person shall advertise or give notice of the sale, or keeping for sale, of any snare, or swivel, pivot or set gun, or poisonous substance for the taking of wild animals or wild birds except rodenticide for orchard mouse control and gas cartridges for woodchuck control.

No person shall 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 not so marked and any wild animal found therein. No person shall set a bear trap unless the same is enclosed by at least 2 strands of wire, one 2 and one 4 feet from the ground, said wire to be securely held in position and to be not less than 5 yards or more than 10 yards at any point from the enclosed trap. Said enclosure shall be marked by substantial signs with the words "BEAR TRAP" and with letters not less than 3 inches in height, said signs to be spaced around each enclosure at intervals of not more than 20 feet and each sign securely fastened to the top strand of wire.

It shall be unlawful for any person, other than a law enforcement officer in the line of duty, to disturb any trap or take any fur-bearing animal from any trap other than his own without the consent of the owner of such trap.

Sec. 2452. Poisons not used for purposes of killing animals. It shall be unlawful to use poison to kill foxes, dogs or other animals, except insects or vermin within a building. Any person who leaves or deposits in any place any poison or poisonous substance or kills by poisoning any fox, dog or other animal, except insects or vermin within a building, shall be subject to the penalties of section 3060. The Commissioner may grant permits to agents of the Federal Fish and Wildlife Service and to fruit, forest nursery and Christmas tree growers to use poison in the destruction of rodents.

The Commissioner or his duly appointed agents may, however, in an emergency use such devices or methods as are necessary for control of wild dogs or other wild animals when approved by the Advisory Council.

Sec. 2453. Hunting while intoxicated or under the influence of drugs; prima facie evidence of hunting in violation of law. No person shall hunt wild birds or wild animals while under the influence of intoxicating liquor or drugs. The possession of any firearms in the fields or forests or on the waters or ice in the State by any person while under the influence of intoxicating liquor or drugs shall be prima facie evidence that the possessor was hunting in violation of law. Whoever violates any provision of this section shall, upon conviction, be punished by a fine of not less than \$10, nor more than \$300 or by imprisonment for not less than 30 days, nor more than 6 months.

Sec. 2454. Hunting on Sunday. It shall be unlawful to hunt wild birds or wild animals on Sunday. Possession of firearms in the fields and forests or on the waters or ice of this State or in a motor vehicle being operated on an unpaved highway located in an unorganized township on Sunday shall be prima facie evidence of such hunting unless such firearm is carried, securely wrapped in a complete cover, fastened in a case or carried in at least 2 separate pieces in such a manner that it cannot be fired unless the separate pieces are joined together again. For the purpose of this section a clip, magazine or cylinder of a firearm shall not be considered a piece of such firearm.

Sec. 2455. Night hunting. It shall be unlawful to hunt wild birds, including migratory game birds, in this State from sunset to $\frac{1}{2}$ hour before sunrise of the following morning.

It shall be unlawful to hunt wild animals from $\frac{1}{2}$ hour after sunset until $\frac{1}{2}$ hour before sunrise of the following morning, except skunks and raccoons, as provided in section 2358. For the purpose of this section, the time shall be that which is recognized as legal in the State of Maine.

No person shall have in his possession at any time any wild animal, or part thereof, taken in violation of this section except as provided in section 2358. Any person convicted of a violation of this section shall be punished for the 1st offense by a fine of not less than \$200 and costs, nor more than \$400 and costs, which fine and costs shall not be suspended and an additional penalty of not more than 30 days in jail, at the discretion of the court; and for a 2nd, or subsequent offense, by a fine of not less than \$400 and costs, nor more than \$800 and costs, and 30 days in jail, which fine, costs and jail sentence shall not be suspended, and an additional penalty of not more than 60 days in jail, at the discretion of the court.

Sec. 2456. Hunting from automobiles. It shall be unlawful for any person to hunt any wild bird or wild animal at any time from any motor vehicle or trailer, or by aid or use of any light or lights carried thereon, therein or attached thereto. It shall be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of this section. It shall be unlawful for any person, excepting a law enforcement officer while in the line of duty, to have in or on a motor vehicle or trailer any rifle or shotgun with a cartridge or shell in the chamber, magazine, clip or cylinder. No person, except a law enforcement officer in the line of duty or a person having a valid permit to carry a concealed weapon, may have in or on any motor vehicle or trailer any loaded pistol or revolver. For the purpose of this section a motor boat shall not be considered a motor vehicle.

Notwithstanding the provisions of this section, paraplegics or double amputees of the legs may hunt from motor vehicles which are not in motion.

Sec. 2457. Hunting from railways. It shall be unlawful for any person to hunt any wild bird or wild animal at any time from a hand car, flat car or any other car or vehicle capable of moving along rails under its own power or capable of being drawn along rails by an engine; or by aid or use of any light or lights carried thereon or attached thereto. It shall be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. No person shall have a loaded rifle or loaded shotgun, or a gun with a cartridge in the magazine thereof, in or on a hand car, flat car or any other car or vehicle capable of moving along rails under its own power or capable of being drawn along rails by an engine.

Sec. 2458. Use of silencers on firearms; use of firearms. No person shall sell, offer for sale, use or have in his possession any gun, pistol or other firearms, fitted or contrived with any device for deadening the sound of explosion. Whoever violates any provision of this section shall forfeit such firearm or firearms and the device or silencer, and shall further be subject to the penalties of section 3060. Any sheriff, deputy sheriff, constable or warden may seize any firearm and any device or

silencer found in possession of any person in violation of the provisions of this section, and on conviction of the party from whom such firearm is seized, such firearm shall be sold and the proceeds paid to the Treasurer of State, and the device or silencer shall be destroyed. This section does not apply to military organizations authorized by law to bear arms, or to the national guard in the performance of its duty.

No person shall use for hunting, or have in his possession at any time in the fields and forests or on the waters of the State, any auto-loading firearm, or any firearm that has been converted to an automatic type, or any firearm which has built-in mechanical adjustments which will permit it to function as an automatic arm.

No person shall use for hunting or have in his possession at any time in the fields and forests or on the waters of the State, any auto-loading firearm having a magazine capacity of more than 5 cartridges. All auto-loading firearms having a magazine capacity in excess of 5 cartridges shall have the magazine permanently altered so as to contain not more than 5 cartridges before it may be used in this State. It shall be unlawful for any person to use cartridges containing tracer bullets or cartridges containing explosive bullets.

An automatic firearm shall be defined as one that will continue to fire as long as the trigger is held back.

An auto-loading firearm shall be defined as one that reloads itself after each shot, and requires that the trigger be pulled for each shot.

No part of the 2nd and 3rd paragraph of this section shall apply to firearms used by any law enforcement agency in this State. The 3rd paragraph shall not apply to firearms using the .22 cal. rim fire cartridge or to any auto-loading pistol having a barrel less than 8 inches in length.

Sec. 2458-A. Hunting deer with certain weapons. It is unlawful to hunt deer with any firearm using the .22 cal. rim fire cartridge, but not including the .22 cal. rim fire magnum.

Sec. 2459. Nets, traps, crossbows, snares and guns larger than 10-gauge not used. No person shall hunt with a net, trap, crossbow, snare or contrivance other than the usual method of shooting with a firearm not larger than number 10-gauge or by shooting with a long bow and arrow, any bird or animal of any species protected by law. Any prohibited implements or devices used in violation of the provisions of this section shall be forfeited to the state. The user of such prohibited implement or device shall be subject to the penalties of section 3060. It shall be unlawful to hunt or kill any wild bird or animal with a crossbow.

Sec. 2460. Use of pole traps. It shall be unlawful for any person to set or use any steel trap on the top of a pole, constituting a device commonly known as a "pole trap" for the purpose of catching any wild birds, without a written permit from the Commissioner; such permit to be issued only when found by the Commissioner to be necessary for the protection of poultry, game birds or game fish, where raised by a private individual or by the State. Whoever violates any of the provisions of this section shall be punished by a fine of not more than \$300 and costs, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

Sec. 2461. Decoys and blinds in Merrymeeting bay. The provisions of this and the 2 following paragraphs shall apply to the waters of

Kennebec river, known as Merrymeeting bay, bounded as follows: From the high tension wires at Chop's Point to the first dam on the Androscoggin river, to the first road bridge on the Muddy, Cathance, Abbagadasset and Eastern rivers and the Richmond-Dresden bridge on the Kennebec river, being in the counties of Cumberland, Sagadahoc and Lincoln.

No artificial cover which is termed stationary blind, or parts thereof, used for hunting purposes shall be left or allowed to remain in the waters of Merrymeeting bay, as described above, between 1 hour after legal shooting time and 1 hour before legal shooting time.

No duck decoys shall be allowed to remain in waters of Merrymeeting bay at any time during the period from 1 hour after legal shooting time until 1 hour before legal shooting time.

Sec. 2462. Horning or driving deer. It shall be unlawful to drive deer by use of horns, whistles or other noisemaking devices. It shall be unlawful for more than 6 persons to participate in a joint hunt for deer, wherein an effort is made to drive deer.

Sec. 2463. Use of airplane in driving wild birds or animals. It shall be unlawful for any person to hunt or molest any wild bird or wild animal with an aircraft, a motor boat or a power-driven snow traveling vehicle, except that migratory waterfowl may be hunted from a motorboat in accordance with federal regulations and except that shags and seals may be hunted from a motorboat.

Any person convicted of violating any provision of this section shall be punished by a fine of not less than \$50, nor more than \$300.

Sec. 2464. Use of dogs, lights, snares, traps, etc. It shall be unlawful to use a dog for the hunting of deer, caribou or moose. It shall be unlawful to use an artificial light, snare, trap, swivel, pivot or set gun for the hunting and killing of any deer, caribou or moose.

Nothing in this section shall be construed as affecting or restricting the legitimate possession and sale of flashlights.

Sec. 2465. Use of artificial lights for lighting game. The use of artificial lights between ½ hour after sunset and ½ hour before sunrise to illuminate, jack, locate, attempt to locate or show up wild birds or wild animals shall be unlawful during any open season on deer, except as provided in section 2354, and section 2358, subsection IV.

Sec. 2466. Other than game birds protected; "game birds" and "migratory game birds" defined. No person shall hunt, kill or have in his possession, living or dead, any wild bird, including turkeys, except as provided in Section 2352. No part of the plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale; or shall any person take or needlessly destroy the nest or eggs of any wild bird nor have such nest or eggs in possession. The English or European house sparrow, the common crow, the great-horned owl, kingfishers, and cormorants or shag, and the European starling are not included among the birds therein protected; provided, however, nothing herein contained shall be deemed to make it unlawful for the owner or occupant of land to kill hawks or owls when in the act of destroying poultry; and for the purpose of this chapter the partridge, grouse and pheasant only, shall be considered game birds, and the following only shall be considered migratory game birds; anatidae or waterfowl, in-

cluding brant, wild ducks, geese and swans; gruidae or cranes, including little brown sandhill and whooping cranes; rallidae or rails, including coots, gallinules, and sora and other rails; limicolae or shorebirds, including avocets, curlew, dowitchers, dogwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock and yellowlegs; columbidae or pigeons, including doves and wild pigeons. Nothing in this section however shall be construed to affect in any way the protection of game birds or migratory game birds as provided in section 2352.

Sec. 2466-A. Shooting at or near wildfowl decoys. It shall be unlawful for any person to shoot, or shoot at, any wildfowl decoy of another within the territorial limits of this State, with a rifle, pistol or shotgun with a ball, slug or buckshot. Any person so convicted shall be punished in accordance with section 3060.

Sec. 2467. Hunting of moose and caribou. No person shall hunt, kill or have in his possession any caribou or moose, or parts thereof; provided that no person who has legally killed a caribou or moose beyond the limits of this State shall have in his possession or import such caribou or moose, or parts thereof, into this State, unless he has obtained a permit from the Commissioner to import such caribou or moose, or parts thereof, for the purpose of consumption or for mounting, but not for sale. Such permit authorizing the importation of caribou or moose, or parts thereof, shall set forth the inclusive dates when such possession shall be legal.

Possession of caribou or moose, or parts thereof, without a permit as set out in this section, or after such permit has expired, shall be prima facie evidence of a violation of this section.

Sec. 2468. Fluorescent clothing. Any person while hunting with firearms in that area of the State south of U. S. Route 2 and west of the Kennebec River during the 1969 and 1970 deer hunting season except when hunting waterfowl from a boat or blind, shall wear fluorescent, orange clothing which is visible from all sides.

HUNTING WITH BOW AND ARROW

Sec. 2501. Open season. There shall be an annual open season from October 1st to October 14th in the Northern Zone as described in section 2353 for the purpose of hunting deer with bow and arrow only.

There shall be an annual open season from October 1st to October 14th in the Northern Zone as described in section 2353 for the purpose of hunting deer with bow and arrow only.

There shall be an annual open season during the month of October in the Southern Zone as described in section 2353 for the purpose of hunting deer with bow and arrow only, except that on the Island of Islesboro in Waldo County and Swan Island in the Town of Swan's Island in Hancock County there shall be an open season for hunting deer with bow and arrow during the months of October and November of each calendar year. During the month of October any person hunting deer on said islands shall be licensed as provided in section 2502. During the month of November any person hunting deer on said islands shall be licensed in accordance with section 2401. Note: See Sec. 2353 concerning hunting deer with bow and arrow on Swan Island in the Town of Swan's Island, Hancock County.

Sec. 2502. Licenses; tag. An archery license shall be issued by the Commissioner to take deer under this chapter, the fee for which shall be \$5.25 for hunting deer by residents of this State and \$15.25 for hunting deer by nonresidents; the fee of 25c to be retained by the issuing agent. Except that such archery licenses shall also permit the hunting of such wild birds and animals which can be legally hunted from October 1st to October 14th of each calendar year in the Northern Zone and during the month of October in the Southern Zone. Archery deer tags shall be issued for use in the same manner as regular deer tags. If a person does take a deer with bow and arrow during the special season provided in section 2501, he is precluded from further hunting for deer during that year. If a person does not take a deer with a bow and arrow during the special season provided in section 2501, he is not precluded from obtaining a hunting license for the regular open season.

Section 2041, Subsection 1, shall not apply to archery licenses.

No resident under the age of 10 years and no nonresident under the age of 12 years shall hunt with bow and arrow at any time. Any resident between the ages of 10 and 16 and any nonresident between the ages of 12 and 16, who hunts deer under the provisions of section 2501, shall purchase an archery license with the written consent of parent or guardian and shall be accompanied at all times while hunting by parent or guardian or an adult approved by parent or guardian.

Sec. 2503. Equipment. Deer may be taken under the provisions of sections 2501 to 2505 only by means of hand bow and broad head arrow. The use of crossbow or set bow is prohibited. The strength of a bow shall be determined by flight of an arrow, each bow to shoot an arrow at least 150 yards. The arrow head shall be not less than $\frac{7}{8}$ inch in width. No person shall use arrows with either poisonous or explosive tips. No person shall carry firearms of any kind while hunting with bow and arrow.

Sec. 2504. Application. Except as provided in section 2501 to 2505 the provisions of this chapter relating to deer shall be applicable to the taking of deer with bow and arrow.

Sec. 2505. Registration. All deer killed under the provisions of sections 2501 to 2505 shall be inspected by a warden before being registered under the provisions of section 2355. If the warden finds the deer to have been legally killed by bow and arrow he shall approve the deer for registration. If it appears to the warden that the deer was not legally killed with bow and arrow he shall seize the deer and prosecute the offender.

Sec. 2601. Poll tax receipt.

8. No resident hunting or fishing license or combination of same shall be issued unless the applicant shall present a poll tax receipt from the town where he resided in the year immediately preceding the date of the application, or the applicant must exhibit a certificate from the taxing authority that he was exempted from paying a poll tax, or that the same has been abated or that the applicant is not required by law to pay a poll tax.

10. A license to hunt or fish shall be issued, at the resident license fee, to any member of the armed forces of the United States of America who is a citizen of the United States or Canada and stationed at some military or naval post, station or base within the State, or his or her

spouse or minor child who is at least 16 years of age. Said member of the armed forces, desiring a hunting or fishing license, must present certification from the commander of said post, station or base, or his designated agent, that the person mentioned in the certification is stationed at or attached to said post, station or base. Licenses may be issued by the clerk or agent in the town in which said military or naval post, station or base is situated.

10-A. Licenses for Maine residents in Armed Forces. A combination fishing and hunting license shall be issued upon payment of \$2, plus the issuing fee, to a Maine resident in the Armed Forces of the United States who is stationed outside the State of Maine. Such license will be valid for any and all leaves or furloughs during the year of issue.

Sec. 2701. The Commissioner may issue a permit to any licensed trapper to take not more than 20 pounds of eels annually for use in baiting traps.

Sec. 2801. Sale of deer or parts thereof. No person shall at any time buy, sell or offer for sale or barter any deer, or part thereof, except that the heads and hides thereof may be sold to any properly licensed taxidermist for the purpose of preserving and mounting as provided in section 4351 of Chapter 65, Title 32 and to any dealer as provided in section 4352 of Chapter 65, Title 12. Whoever aids in buying, selling or offering for sale or barter any deer, or part thereof, or counsels or otherwise aids in procuring the same shall be punished in the manner prescribed for the punishment of the principal offender. Provided, however, that any agent of the Commissioner may buy or sell deer, or parts thereof, for use as evidence in prosecution of a violation of Chapters 301 to 335.

Sec. 2802. Transportation of game. No person shall transport or offer for transportation, nor shall any person or carrier accept for transportation or transport, any game animal or bird, or parts thereof, except as provided in Chapters 301 to 335.

Any resident may transport to his home any game which he has killed and which is legally in his possession, provided he shall have been properly licensed and has met all other requirements of Chapters 301 to 335.

Any nonresident may transport or have transported to his home by a common carrier any game which he has killed and which is legally in his possession, provided he shall have been properly licensed and has met all other requirements of Chapters 301 to 335.

No person or carrier shall transport any game bird or animal, or parts thereof, in closed season except that any person who has killed said game in open season shall have a reasonable time after the beginning of the closed season in which to transport said game to his home.

All game transported or offered for transportation shall be open to view, and accompanied by the person who killed said game. Game transported for nonresidents by common carrier need not be accompanied by the owner if all other requirements of Chapters 301 to 335 are met. Any carrier accepting any game for transportation shall be satisfied that the person presenting said game for shipment is the person to whom the hunter's license offered for inspection was issued and shall securely affix any tags and such other identification and make such returns to the Commissioner as may be required by Chapters 301 to 335. Any wild bird or animal, or part thereof, found in possession of

any person in violation of this chapter is subject to seizure and shall be seized and become the property of the State.

The hunting license of any nonresident shall entitle him to have game, which he has legally killed, transported to his home without further fee to the State.

Sec. 2803. Fish, game and fur-bearing animals; transportation of, by aircraft. The pilot of any aircraft, other than those of regular transport lines, shall not transport any fish, game, fur-bearing animals or parts thereof by air until he has obtained from the Commissioner a permit to do so costing \$2.00 and each permit so issued shall expire December 31st of the calendar year issued.

Whoever shall transport, attempt to transport or offer for transportation by aircraft any fish, game, fur-bearing animals or parts thereof shall, as a condition of transporting such fish, game, fur-bearing animals or parts thereof, have such fish, game, fur-bearing animals or parts thereof open to view to the pilot whenever the pilot may request that such fish, game, fur-bearing animals or parts thereof be subject to inspection by him. No pilot shall knowingly and willfully transport any fish, game, fur-bearing animals or parts thereof taken in violation of any provision of Chapters 301 to 335.

Whoever violates any provision of this section shall be punished as set forth in section 3060 and in addition thereto all licenses or permits issued by the Department may be revoked for one year.

Sec. 2851. Breeders; license. The Commissioner may issue a license at an annual fee of \$10 to any person, firm or corporation, permitting the licensee to breed, rear or keep game birds or migratory game birds. Said licensee shall fence in land for these purposes, and such fence shall be of a type which will prevent game birds or migratory game birds from entering or leaving the fenced-in area.

No person shall breed, rear or keep any game birds or migratory game birds, except those that are owned by the Department at any time, without first having procured said license. No game birds or migratory game birds, either live or dressed, shall be removed from said premises until there shall have been securely attached to each bird a metallic seal. Such seal shall remain attached to said birds until they are finally prepared for consumption. Such seal shall be supplied by the Commissioner at a cost of 5c. Such licensed breeders may, at any time, consume, sell, transport or kill and sell, and any person, firm or corporation, resident of the State, may purchase, have in possession or transport any game birds or migratory game birds raised, by virtue of the provisions of this section. Such licensed breeders may also sell live or dressed game birds or migratory game birds outside the State, subject to regulations governing the importation of game birds or migratory game birds of the state in which sold.

Every licensed game bird or migratory game bird breeder shall on or before the 31st day of December of each year, make a detailed report to said Commissioner, on blanks to be furnished by the Commissioner.

A license shall only be issued to persons who comply with the provisions of this section, and such license shall be revoked for any violation thereof.

Sec. 2901. Bounty on bobcat. There shall be a bounty of \$15 for every bobcat which is killed within the State, to be paid by the Treasurer of State to the person killing the same upon compliance with the following conditions. No bounty shall be paid unless the claimant, within

10 days after he has killed such animal, exhibits to the warden or warden supervisor in whose district the animal was killed the entire skin thereof, with the ears, nose and tail thereon in as perfect a state as when killed, except for natural decay, and signs a certificate under oath stating the he killed such animal and the time and place within the State. Such certificate must be approved by and bear the signature of the warden or warden supervisor in whose district the animal was killed, stating that he believes the cat to have been killed at the time and place stated therein, and the person claiming the bounty shall thereupon cut off the whole of the tail from the skin and forward the same to the Commissioner, together with the claimant's certificate.

Sec. 2951. Disposal of deer. The resident owner of every motor vehicle which has been substantially damaged by collision with a deer shall, within 24 hours thereafter, report the accident to a game warden. The warden shall investigate and, if he finds the damage has been done as alleged, he shall give a certificate to such person entitling such person to the ownership of the carcass to be possessed and consumed only within the immediate family of the owner of said vehicle.

Sec. 2952. No payments for motor vehicle damage. No claim for damages to motor vehicles by a protected wild animal or wild bird shall be paid by the State.

Sec. 2953. Shooting human being while hunting; penalty. Whoever, while on a hunting trip or in the pursuit of wild game or game birds, negligently or carelessly shoots and wounds, or kills any human being, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months. The Commissioner, upon receiving a written report of the wounding or killing of a human being, may revoke or suspend the current hunting license or the right to hunt or the right to obtain a hunting license, for a period not to exceed 5 years, of any person who, while on a hunting trip or in the pursuit of wild game or game birds, is alleged to have shot and wounded or killed said human being. Concurrent with the notice of the revocation or suspension of the said person's current hunting license or right to hunt or right to obtain a hunting license, the Commissioner shall send to the person accused of any such offense, a written notice by certified mail or registered mail, to the address given by such person in his application for a hunting license, of a hearing to be held in not less than 10 days, which notice shall contain the time and place of hearing and a brief statement of the facts alleged to have happened. After hearing, the Commissioner may affirm or modify the revocation or suspension of the hunting license for the current year of such person and may also deny to such person the right to hunt or the right to obtain a hunting license for a period not to exceed 5 years. A person aggrieved by the Commissioner's decision may appeal to the Superior Court in the county where the hearing is held, by filing a complaint with the clerk of courts and sending a copy of the complaint to the Commissioner. The complaint shall be filed within 30 days of the Commissioner's decision. The court shall review the hearing record and may affirm, reverse or modify the Commissioner's decision.

Any such person whose hunting license has been revoked or suspended, or whose right to hunt or the right to obtain a hunting license for a period not to exceed 5 years has been denied, may after the expiration of one year from the date of such revocation or suspension, petition the Commissioner for restoration of his privilege to procure such a license. The Commissioner, after hearing and after his determination that public safety will not be endangered by the restoration to the petitioner of such

privilege, may restore the same. If the Commissioner disallows such a petition and thereby refuses to grant the restoration of such privilege, the petitioner may appeal to the Commissioner's advisory council which, after hearing on said petition, may allow the same and restore such privilege.

Sec. 2953-A. Shooting domestic animals or birds while hunting; penalty. Whoever, while on a hunting trip or in the pursuit of wild game or game birds, negligently or carelessly or willfully shoots and wounds, or kills any domestic animals or birds, shall be punished by a fine of not less than \$50 nor more than \$200 or by imprisonment for not more than 30 days, or by both. The Commissioner, upon receiving a written note of the final disposition, shall revoke or suspend the current license or the right to hunt or the right to obtain a hunting license for a period not less than one year after such final disposition.

Sec. 2954. Investigation of hunting accidents. Whoever knows of the wounding or killing of a human being as set forth in section 2953 shall forthwith report the same to the sheriff of the county where the accident occurred or the State Police. Such sheriff or the State Police shall immediately notify the county attorney and the Department of Inland Fisheries and Game. Such sheriff or the State Police and the county attorney shall promptly make an investigation and prosecute any violation.

Sec. 2955. Aid for injured persons. It is unlawful for any person who knows he has inflicted injury to a human being by gunfire or with a bow and arrow to flee or fail or refuse to make himself known, or if the injured person shall be unconscious, the person who inflicted the injury shall by the quickest means of communication give notice of the accident either to a State Police officer, sheriff, game warden or other law enforcement officer, or to the police department of the municipality nearest the place wherein the accident occurred.

Any person violating any of the provisions of this section shall, upon conviction, be punished by a fine of \$200 and in addition thereto shall be denied the right to hunt or trap anywhere in this State, with or without a license, for a period of 10 years.

Sec. 3051. Vehicles must stop on signal.

1. Authority of inland fish and game wardens. Any officer whose duty it is to enforce the inland fish and game laws, if in uniform and if he has probable cause to believe that a violation of the inland fish and game laws has taken or is taking place, may, at any time, stop any motor vehicle, boat, vessel, airplane or conveyance of any kind for the purpose of arresting or questioning the operator or occupant thereof or for the purpose of searching said motor vehicle, boat, vessel, airplane or conveyance of any kind.

2. Penalty. Any operator of a motor vehicle, boat, vessel, airplane or conveyance of any kind, who fails or refuses to stop such conveyance immediately upon request or signal of any officer, in uniform, whose duty it is to enforce the inland fish and game laws, shall be punished by a fine of not more than \$400 or by imprisonment for not more than 90 days, or by both.

Sec. 3052. Arrest; jurisdiction; false personation. Any officer authorized to enforce the inland fish and game laws may arrest any violator of said laws or any person who impersonates or represents himself as being a game warden. Any person so arrested shall be taken without unnecessary delay before the division of the District Court nearest to the place of violation.

Sec. 3053. Jurisdiction. The District Court shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under any provisions of Chapters 301 to 335.

Sec. 3058. Results reported to Commissioner. Every judge or the clerk of the court except the District Court before whom any prosecution under chapters 301 to 335 and Title 7, chapter 707 and Title 7, sections 3601 and 3602 and Title 32, chapter 65, is commenced or shall go on appeal, within 20 days after the trial or dismissal thereof, shall report in writing the result thereof and the amount of fines collected, if any, and disposition thereof, to the Commissioner.

Sec. 3059. Jail costs. The costs for imprisonment in a county jail for the violation of any provision of Chapters 301 to 335 or rules and regulations promulgated thereunder shall be paid by the Commissioner to the county involved. Such costs shall not exceed the average amount paid for board of federal prisoners.

Sec. 3060. Penalties. Whoever violates any of the provisions of Chapters 301 to 335 or rules and regulations promulgated thereunder, or rules and regulations heretofore promulgated and still in force and effect, excepting only those for the violation of which specific penalties have been hereinbefore provided, shall be punished by a fine of not less than \$20, nor more than \$300 and costs, or by imprisonment for not more than 90 days, or by both such fine and imprisonment, except as hereafter noted:

1. Whoever violates any provision of Chapters 301 to 335 relating to beaver except setting any trap within 25 feet of any beaver house, or setting any trap within 10 feet of any beaver dam or the provision which prohibits setting a trap within 4 feet of a beaver trap which has already been set by another trapper, shall be punished by a fine of not less than \$50 and costs and \$50 additional for each beaver or skin involved, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

1-A. Mink and otter. Whoever violates section 2362 shall be punished by a fine of not less than \$50 and costs and \$50 additional for each mink and otter skin involved, or by imprisonment for not more than 90 days, or by both.

2. Whoever violates any of the provisions of the first 2 paragraphs of section 2451 shall be punished by a fine of not less than \$200, nor more than \$300 and costs, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

3. Whenever any particular violation of any section of this chapter carries a specific fine which cannot be suspended, the provisions of this section shall not apply.

Sec. 3061. Collection and disposition of money received under provisions of this chapter. All fines, penalties, officers' costs and all other moneys recovered by the court under provision of this chapter shall accrue to the Treasurer of State and shall be paid into the treasury of the county where the offense is prosecuted. All officers' fees taxed against a respondent, if any, under any provision of Chapters 301 to 335, which are not paid or recovered from the respondent shall not be assumed or paid by the county where the offense was committed. All fees, fines and penalties recovered and money received or collected and including moneys received from sale, lease or rental of department owned property shall be paid to the Treasurer of State and credited to the Department of Inland Fisheries and Game for the operation of fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, information and education on conservation and for printing

the report of said Commissioner and other expenses incident to the administration of said Department, and shall be expended by the said Commissioner for the purposes for which said Department is created.

All moneys credited to the Department of Inland Fisheries and Game shall be credited, apportioned and expended as provided by the Legislature.

Provided further, that if any of such fees, fines, penalties or other moneys are not expended during the year in which they are collected, the unexpended balance shall not lapse, but be carried as a continuing account and available for the purposes herein specified until expended.

Any officer or other person who shall receive any fine or penalty, or any part thereof, for the violation of any fish or game law, or rule or regulation, or any fees for licenses issued by authority of any inland fish and game law and shall neglect for more than 30 days to pay the same as herein provided, shall be punished by a fine of not less than \$50, nor more than \$100, and costs of prosecution for each offense.

Sec. 3101. Seizure and disposition of game and equipment for violation of law. All birds, fish or animals, or parts thereof, hunted, bought, sold, carried, transported or found in possession of any person in violation of chapters 301 to 335, or equipment possessed in violation of chapters 301 to 335, shall be contraband and shall be subject to seizure by the State. The officer who made such seizure may within reasonable time file with a judge a libel against such birds, fish or animals, or parts thereof, or any equipment possessed in violation of chapters 301 to 335, except that articles of less than \$10 in value shall not be libeled unless reasonable doubt exists as to the ownership thereof, setting forth their seizure by him, describing such birds, fish or animals, or parts thereof, or equipment and that they were hunted, taken, caught, killed or found in possession in violation of chapters 301 to 335, and pray for a decree of forfeiture thereof. Such judge shall thereupon fix a time for the hearing of such libel and shall issue his monition and notice of the same to all persons interested, citing them to appear at the time and place appointed and show cause why said birds, fish or animals, or parts thereof, or equipment possessed should not be declared forfeited, by causing a true and attested copy of said libel and monition to be posted in 2 conspicuous places in the town or place where such birds, fish or animals, or parts thereof, or equipment possessed were seized, or in such place or places as is ordered by the judge, 10 days at least before the day to which said libel is returnable. Copies shall be served on common carriers.

In case the judge finds that the birds, fish or animals, or any parts thereof, seized will be unsuitable for food, or other use, at the day to which said libel is returnable, he shall order the officer making the seizure to dispose of the same. The officer disposing of the same shall, in case of sale, hold the proceeds of said sale subject to order of the court for decisions as to the right of the claimant, if any appear, to said birds, fish or animals, or parts thereof. If the judge finds the claimant, if any appear, is not entitled to said birds, fish or animals, or parts thereof, the officer making such seizure shall turn over to the judge the proceeds of such sale, and such judge shall forward the proceeds thereof to the commissioner in the same manner as is provided by section 3061.

If no claimant appears, such judge shall, on proof of notice, declare the same forfeited to the State. If any person appears and claims such articles, or any part thereof, as having a right to the possession thereof at the time when the same were seized, he shall file with the judge

such claim in writing, stating specifically the right so claimed, and the foundation thereof, the items so claimed, the time and place of the seizure and the name of the officer by whom the same were seized, and in it must declare that they were not had in possession in violation of chapters 301 to 335, with his knowledge or consent, and state his business and place of residence, and shall sign and make oath to the same before said judge. If any person so makes claim, he shall be admitted as a party to the process; and the judge shall proceed to determine the truth of the allegations in said claim and libel, and may hear any pertinent evidence offered by the libelant or claimant. If the judge is, upon the hearing, satisfied that said birds, fish or animals, or parts thereof, or any equipment possessed were not had in possession in violation of chapters 301 to 335, and the claimant is entitled to the custody of any part thereof, he shall give him an order in writing directed to the officer having the same in custody commanding him to deliver to said claimant the articles, or proceeds derived from the sale of the same, to which he is so found to be entitled, within 48 hours after demand. If the judge finds the claimant entitled to no part of said articles so seized, he shall render judgment against him for the libelant for costs, to be taxed as in civil cases before such judge, and issue execution thereon, and shall declare said articles forfeited to the State. The claimant may appeal and shall recognize with sureties as on appeals in civil causes from a judge.

Sec. 3102. Officers seizing fish or game to report to Commissioner within 10 days. In all cases, the officer making any seizure or sale of birds, fish, game or other wild animals, or parts thereof, shall within 10 days thereafter report all particulars thereof and an itemized statement of the proceeds, expenses and fees and the disposition thereof to the Commissioner. The failure of any person or officer to perform any act, duty or obligation enjoined upon him by Chapters 301 to 335 shall be deemed a violation thereof.

Sec. 3151. Possession of firearms in forests without license prima facie evidence of violation of law. The possession of any firearm in the fields, forests or in the water or ice within the territorial limits of the State by any person who does not possess the required hunting license duly issued to him, covering the period of time within which said firearm is found in his possession, shall be prima facie evidence of hunting in violation of law unless such person furnishes satisfactory evidence of the issuance of such license.

Sec. 3152. Possession of fishing tackle in waters of State without license prima facie evidence of violation of law. The possession of any fishing tackle in the fields, forests or on the waters or ice within the territorial limits of the State by any person who does not possess the required fishing license duly issued to him, covering the period of time within which such fishing tackle is found in his possession, shall be prima facie evidence of fishing in violation of law unless such person furnishes satisfactory evidence of the issuance of such license.

Sec. 3551. Training of dogs. Except as provided in section 3552, it shall be lawful to train dogs on foxes, raccoons and rabbits from September 1st to the following October 15th, inclusive, in each calendar year, providing the dogs are under the personal supervision of the owner or trainer at all times.

Sec. 3552. Special dog training areas. Upon application of any club or organization having 25 or more members who are citizens who have been residents of the State for at least 6 months immediately prior to making application, and the payment of a fee of \$10, the Department

may issue a license authorizing the establishment and maintenance by such club or organization on land owned by them, or over which they have legal control, or a special dog training area wherein and whereon dogs may be trained at any time during the year. Each club so licensed may establish not more than 2 special dog training areas, each of which shall be not less than 100 acres. No club shall control more than a total of 400 acres. Licenses shall not be issued to more than 2 clubs in any one county.

The Department may from time to time during each year stock pieces of game and shall charge the licensees a reasonable price therefor. Nothing herein shall be construed as authorizing licensees to liberate on such area any wild bird or quadruped coming from without the State. The licensees may at any time during the year train their own dogs or the dogs of other persons on such area. Any person not a licensee may do likewise unless the area is completely enclosed with rabbit-proof fence by making application in writing to licensee and receiving a permit to do, for which a charge of not to exceed \$1.10 may be made for residents, of which amount \$1 shall be paid to the Commissioner and for nonresidents a charge of not to exceed \$5.10 may be made of which amount \$5 shall be paid to the Commissioner. Failure of a licensee to make reasonable provision for the use of such area unless the area is completely enclosed with rabbit-proof fence by persons not licensees shall be deemed sufficient grounds for the Department to deny a renewal of license. No person shall hunt on a licensed dog training area except the owner of the lands who may hunt unprotected birds and animals only. The Department may make rules regulating the use of such areas.

The boundary line of such special dog training area shall be plainly and conspicuously posted prior to October 1st of each year with legible notices at least 11 inches square, placed not more than 100 yards apart which shall bear the following warning:

"SPECIAL DOG TRAINING FIELD TRIAL AREA — HUNTING AND TRAPPING IS UNLAWFUL. This land is set aside under special license for the training of dogs and the holding of field trials. Entering hereon for the purpose of hunting or permitting dogs to enter without proper authorization is prohibited. (Name and address of licensee to be printed on notice.)"

The licensees may hold field trials at any time on such area or permit in writing others to hold such trials thereon under such conditions as shall be mutually agreed upon.

No person shall train a dog, hold a field trial, enter accompanied by a dog or permit a dog of which he is the owner or trainer to enter upon an area licensed and posted as provided in this section except as provided herein.

Sec. 3553. Field trials for bird dogs or coon dogs. It shall be lawful to hold bird dog or coon dog field trials at any time. During the field trials permitted in this section, no person shall use any firearm other than a pistol loaded with blank ammunition.

Sec. 3554. Field trials for retrieving dogs. Upon application of any incorporated or unincorporated club or organization having in its membership 25 or more members who are citizens who have been residents of the State for at least 6 months immediately prior to making application and the payment of a fee of \$10, the Department may at its discretion issue a license to such club or organization to hold at the time and place stated in such license a field trial for retrieving dogs for the

purpose of demonstrating the skill of such dogs in retrieving dead or wounded game birds. A separate application shall be filed for each field trial proposed to be held by any such club or organization. Such license when issued shall authorize members of the licensee to shoot and kill with firearms, under supervision of a representative of the Department, game birds propagated or legally acquired by members of the licensee and released by members of the licensee at the field trial held at the time and place specified in such license, but only during the daylight hours and only with the consent of the owner of or person having legal control of the land on which such field trial is held. Before any game bird so shot is consumed or removed from the premises, a representative of the Department shall attach a tag thereto. Such tag shall be furnished by the Department for a reasonable fee and shall remain attached to the bird until the same is prepared for consumption. Licensees shall pay the Department for services of its representative at such field trials at the rate of \$15 per day. Persons participating in any such field trial pursuant to the provisions of this section shall not be required to have hunting licenses. Game birds so released or shot pursuant to the provisions of this section shall not be deemed to be wild birds.

Sec. 3555. Training and field trials for beagles and other rabbit hounds. It shall be lawful to train and hold field trials for beagles and other rabbit hounds between September 1st and April 10th, both days inclusive. During the training and field trials permitted in this section, no person shall use any firearm, other than a pistol loaded with blank ammunition, except during open season for hunting.

Sec. 3601. Dogs running at large. It shall be unlawful for any dog to roam-at-large in any area frequented by deer from December 1st of each calendar year to June 30th of the following year.

Sec. 3602. Dogs killed for hunting moose, caribou, deer or elk, or worrying domestic animals. It shall be unlawful for any dog to hunt, chase, kill, wound or pursue any moose, caribou or deer at any time or any other wild animal in closed season. The owner or keeper of any dog hunting, chasing, killing, wounding or pursuing any moose, caribou or deer at any time or any other wild animal in closed season shall be punished by a fine of not less than \$25 nor more than \$100.

Any officer may kill any dog which he finds hunting, chasing, killing wounding or pursuing any moose, caribou, deer or elk at any time or any other wild animal in closed season or worrying, wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper.

Any person having evidence of any dog hunting, chasing, killing, wounding or pursuing moose, caribou, deer or elk at any time or any other wild animal in closed season may present said evidence to the Commissioner or any game warden who shall give notice in writing to the owner or keeper of said dog stating the acts committed by said dog. The owner or keeper of any dog so notified shall not permit any dog mentioned in said notice to leave the immediate control of said owner or keeper under the penalty as provided in section 3060. After the owner or keeper of the dog has received written notice that his dog has committed any act prohibited by this section, it shall be lawful for anyone to kill the dog when found committing any of the acts prohibited herein.

Any owner of domestic animals or enclosed poultry, or any member of his family, or any person to whom is entrusted the custody of any

domestic animals or enclosed poultry shall have a right to kill any dog killing or attacking any of said domestic animals or enclosed poultry.

Any person having any evidence of any dog hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk, or any other wild animal in closed season, or of any dog kept and used for the purpose, or of any dog wounding, killing or attacking any domestic animal or fowl, or any fur-bearing animals legally in captivity, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to any trial justice or judge of any municipal court, which said trial justice or judge shall have power to issue a warrant against the owner of said dog, ordering him to appear before him and show cause why said dog should not be killed; and upon hearing the evidence in said case said court may order said dog killed by any officer. The costs of prosecution shall be paid by the owner or keeper of said dog.

Sec. 3604. Killing for assault permitted. Any person may lawfully kill a dog which suddenly assaults him or another person when peaceably walking or riding.

Sec. 4351. Licenses for taxidermists. The Commissioner may, upon application, license as a taxidermist anyone who is skilled in that art and of good reputation; residents of this State shall pay an annual fee of \$5, except that unnaturalized, foreign-born residents shall pay an annual fee of \$25, for such license; taxidermists licensed as aforesaid may at all times have in their possession, at their places of business, fish and game lawfully caught in open season for the sole purpose of preparing and mounting the same; and such fish and game, or parts thereof, may be transported to such licensee and retained by him for the purposes aforesaid, under such rules and limitations as may be made by said Commissioner. Such licenses may be revoked by said Commissioner at any time after notice and an opportunity for hearing; each person so licensed shall, on or before the 31st day of December each year, make a detailed report to said Commissioner of all they have done during the year by virtue of such license.

Sec. 4352. Licenses for dealers in deer skins and heads. It shall be unlawful for any person at anytime to buy, sell, barter, take in trade or take in exchange for any services rendered any deer skin or deer head without first obtaining from the Commissioner a deer skin license.

The annual fee for such license shall be \$25.

It shall be unlawful for any person to aid or assist another in the buying, selling, bartering, taking in trade or taking for any services rendered any deer skin or deer head without first obtaining a deer skin license from the Commissioner.

It shall be required of the licensee to keep a true and complete record setting forth the names and addresses of all persons from whom deer skins and deer heads were bought, sold, bartered, taken in trade or taken in exchange for services rendered and the date said deer skin or deer head was acquired. The report shall be open for inspection to any agent of the Commissioner and shall be filed with said Commissioner, after being notarized, on or before the 31st day of December of each year.

The license of any licensee who is convicted of a violation of any provision of this section shall be suspended by the Commissioner for not less than one year from the date of conviction.

Notwithstanding this section, a person who lawfully registers a deer may sell the skin and head thereof.

Sec. 4353. Licenses for dealers in furs. The Commissioner may annually issue licenses to engage in the business of buying the skins of any fur-bearing animals. Each licensee shall keep a complete record which shall be open to inspection at all times by the Commissioner or his agent, of all skins purchased, as aforesaid, in such book as is furnished him by said Commissioner, and shall send each record, under oath, to said Commissioner on or before the 31st day of December of each year. The fee for the license shall be \$25 for residents of this State and \$50 for nonresidents to be paid to the said Commissioner. Whoever buys any skins of any fur-bearing animals without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward same to said Commissioner as herein provided, or whoever refuses to exhibit said book for inspection by said Commissioner or his agent, shall be subject to the penalties of section 3060. All skins of fur-bearing animals bought in violation of any provision of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws, and upon conviction of the person or persons from whom they were seized they shall be sold, and the proceeds from such sale paid to the Treasurer of State. All persons aiding or assisting another in buying, sorting or grading the skins of fur-bearing animals shall be considered as engaged in the business of buying the skins of fur-bearing animals and must procure a license therefor.

Sec. 3852. Title 17. Improved lands and fish ponds. Whoever willfully commits any trespass or knowingly authorizes or employs another to do so by entering the garden, orchard, pasture, cranberry ground, improved blueberry ground, arboretum, botanic garden or improved land of another or pond of another used for the lawful cultivation of fish or commercial shooting area, with intent to take, carry away, destroy or injure trees, shrubs, plants, flowers, grain, grass, hay, fruit, vegetables, turf or soil thereon or the fish in such pond or pheasants, quail or Chukar partridge found on such commercial shooting area, shall be punished by a fine of not more than \$100 and by imprisonment for not more than 90 days.

Sec. 30. Chapter 137 of the Revised Statutes, Dumping of litter. No person shall put or place, cause to be put or placed, deposit or throw upon any square, lane, alley, public bathing place, public park, or the approaches thereto, or any other place, or into any inland or tidal waters, or on the ice over such waters, or on the banks adjacent thereto any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, old automobiles or parts thereof, or similar refuse, except in proper containers placed for rubbish or garbage collection or removal or except in a public dump. Any person who violates this section shall be punished by a fine of not more than \$100. Nothing contained in this section shall be construed as affecting authorized collections of such articles as garbage or refuse, nor shall anything be construed to prevent the proper use of the rights-of-way for highway purposes. If the throwing, placing or depositing was done from a motor vehicle, it shall be prima facie evidence that the throwing, placing or depositing was done by the driver of such motor vehicle.

Every law enforcement officer in the State, including wardens of the Department of Inland Fisheries and Game, wardens of the Department of Sea and Shore Fisheries, foresters of the Forestry Department and liquor inspectors of the State Liquor Commission shall have authority to enforce this section and section 2794.

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