

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 950

H. P. 707

House of Representatives, February 18, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Kelley of Southport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Hunting from Vehicles, Aircraft, Boats and
Snowmobiles.

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

Sec. 1. R. S., T. 12, § 2456, repealed and replaced. Section 2456 of Title 12 of the Revised Statutes, as last amended by chapter 36 of the public laws of 1967, is repealed and the following enacted in place thereof:

§ 2456. Hunting from vehicles, aircraft, boats and snowmobiles

It shall be unlawful for any person to hunt or molest any wild bird or wild animal at any time from any motor vehicle, trailer, aircraft, motorboat or snowmobile, or by aid or use of any light or lights carried thereon, therein or attached thereto, 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. 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 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 all motor driven vehicles except a motorboat shall be considered to be a motor vehicle.

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

Any person convicted of violating any provision of this section shall be punished by a fine of not less than \$50 nor more than \$1,000, or imprisonment for not more than 90 days, or by both.

Sec. 2. R. S., T. 12, § 2463, amended. The first paragraph of section 2463 of Title 12 of the Revised Statutes, as amended, is further amended to read as follows:

It shall be unlawful for any person to hunt or molest any wild bird or wild animal with ~~an~~ any aircraft, a motor boat or ~~a power driven snow traveling vehicle~~ snowmobile, 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 hunting or molesting with an aircraft, motor boat or snowmobile in violation of this section, shall be prima facie evidence that such unlawful hunting or molesting was done by the person in whose name such aircraft, motor boat or snowmobile is registered. Any hunting from a motor vehicle or trailer in violation of this section shall be prima facie evidence that such unlawful hunting was done by the person in whose name such vehicle or trailer is registered.

STATEMENT OF FACT

This amendment integrates 2 present statutory provisions relating to hunting from vehicles, aircraft, motor boats and snowmobiles in order to make their application more apparent and clear up any seeming inconsistency between the present section 2456 and section 2463.