

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 408

H.P. 316

House of Representatives, February 4, 2003

An Act Regarding the Presumption of Violations of the Hunting-on-Sunday Prohibition

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative JACKSON of Fort Kent.
Cosponsored by Senator KNEELAND of Aroostook and
Representatives: CARR of Lincoln, DUNLAP of Old Town, FISCHER of Presque Isle,
GOODWIN of Pembroke, SMITH of Van Buren, TRAHAN of Waldoboro, WOTTON of
Littleton, Senator: MARTIN of Aroostook.

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

Sec. 1. 12 MRSA §7945, as amended by PL 1997, c. 432, §58, is further amended to read:

§7945. Possession of hunting equipment on Sunday

Possession of hunting equipment in the fields or forests or on the waters or ice in the State ~~or in a motor vehicle being operated on an unpaved highway or road located in an unorganized township~~ on Sunday is prima facie evidence of a violation of section 7406, subsection 4, unless:

1. **Hunting equipment covered.** The hunting equipment is carried, securely wrapped, in a complete cover;

2. **Hunting equipment fastened.** The hunting equipment is fastened in a case; or

3. **Hunting equipment in pieces.** The hunting equipment is carried in at least 2 separate pieces in such a manner that it can not be fired, unless the separate pieces are joined together. For the purpose of this subsection, a clip, magazine or cylinder of a firearm may not be considered a piece of the hunting equipment. Bows and arrows must be kept in a case or cover if broadheads or field points are kept attached to the arrows; or

4. **Hunting equipment for protection.** The hunting equipment is carried for protection while the person carrying it is engaged in another lawful activity under the hunting, fishing or trapping laws, such as, but not limited to, bearbaiting.

SUMMARY

This bill removes from the law language that makes possessing hunting equipment in a motor vehicle on an unpaved highway or road located in an unorganized township on Sunday prima facie evidence of a violation of the hunting laws. The bill also adds an exception to the Sunday hunting prohibition to allow carrying of hunting equipment for protection while engaged in activities such as bearbaiting.