

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 165

H. P. 490

House of Representatives, January 26, 1949

Referred to the Committee on Inland Fisheries and Game, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Chaples of Hudson.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relative to Night Hunting.

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

R. S., c. 33, § 67, amended. Section 67 of chapter 33 of the revised statutes, as revised, is hereby amended to read as follows.

‘Sec. 67. Night hunting prohibited; exception. It shall be unlawful to hunt wild 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 97. 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 bird or~~ wild animal, or part thereof, taken in violation of the provisions of this section except as provided in section 97. Any person convicted of a violation under the provisions of this section shall be punished for the 1st offense by a fine of not less than \$100 and costs, and 30 days in jail, nor more than \$200 and costs, and 30 days in jail, 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 \$200 and costs, nor more than \$400 and costs, **and 60 days in jail** which fine, ~~and~~ 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.

The use of an artificial light between $\frac{1}{2}$ hour after sunset and $\frac{1}{2}$ hour before sunrise to illuminate, jack, or to show up game by any person having in his possession any fire arms with the ammunition thereto, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be sufficient evidence of illegal night hunting. Nothing herein contained shall be construed to prohibit the use of lights for hunting raccoon as permitted in section 97.