

§11206. Night hunting

1. Prohibition. Except as otherwise provided in this Part, a person may not:

A. Hunt wild birds or wild animals from 30 minutes after sunset to 30 minutes before sunrise of the following day; or [PL 2003, c. 592, §3 (RPR); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

B. [PL 2003, c. 592, §3 (RP); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

C. Possess any wild animal or wild bird taken in violation of paragraph A. [PL 2003, c. 592, §3 (RPR); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

[PL 2003, c. 592, §3 (RPR); PL 2003, c. 592, §5 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

2. Penalty. The following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a Class D crime for which the court shall impose a sentencing alternative of not less than 3 days for the first offense, none of which may be suspended, and of not less than 10 days for each succeeding offense, none of which may be suspended; the court also shall impose a fine of not less than \$1,000, none of which may be suspended. [PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

B. A person who violates subsection 1 and is in possession of night vision equipment commits a Class D crime for which the court shall impose a sentencing alternative of not less than 3 days for the first offense, none of which may be suspended; the court also shall impose a fine of not less than \$2,000, none of which may be suspended. [PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

C. A person who violates subsection 1, is in possession of night vision equipment and has been convicted of a Class D crime within the past 10 years under Title 12, Part 13 commits a Class D crime for which the court shall impose a sentencing alternative of not less than 6 days for the first offense, none of which may be suspended, and of not less than 10 days for each succeeding offense, none of which may be suspended; the court also shall impose a fine of not less than \$2,000, none of which may be suspended. [PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

For purposes of this subsection, "night vision equipment" means a light amplification or thermal imaging device.

[PL 2003, c. 592, §3 (NEW); PL 2003, c. 592, §5 (AFF); PL 2003, c. 655, Pt. C, §§5, 6 (AFF).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 592, §3 (RPR). PL 2003, c. 592, §5 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§C5,6 (AFF).

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