

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 77

H. P. 45

Office of the Clerk of the House

Filed December 30, 1970 under Joint Rule 6 by Mr. Whitson, of Portland.
To be printed and delivered to the House of Representatives of the 105th
Legislature.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Whitson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Protect Endangered Species of Fish and Wildlife.

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

R. S., T. 12, § 1906, additional. Title 12 of the Revised Statutes is amended by adding a new section 1906, to read as follows:

§ 1906. Endangered species of fish and wildlife

The importation, transportation, possession or sale of any endangered species of fish or wildlife, or hides or other parts thereof, or the sale or possession with intent to sell any article made in whole or in part from the skin, hide or other parts of any endangered species of fish or wildlife is prohibited. For the purpose of this section, endangered species shall mean those species of fish and wildlife designated by the Commissioner of Inland Fisheries and Game by order filed with the Secretary of State, as seriously threatened with extinction.

Such order shall include, but not be limited to, endangered species as designated by the Secretary of the Interior. The commissioner may, by order, exclude any such species as he may determine after investigation to be no longer endangered from the restrictions of this section.

No part of the skin or body, whether raw or manufactured, of any member of a designated endangered species of wild animals or the animal itself may be sold or offered for sale by any individual, firm, corporation, association or partnership within the State of Maine after the effective date of this Act.

Any officer or agent authorized by the commissioner or any State Police Officer, or any police officer of any municipality within the State shall have authority to execute any warrant to search for and seize any goods, merchandise or wildlife sold or offered for sale in violation of this section. Such goods, merchandise or wildlife shall be held pending proceedings in any court of proper jurisdiction. Upon conviction, such seized goods, merchandise or wildlife shall be forfeited and, upon forfeiture, either offered to a state institution for scientific or educational purposes or destroyed.

The commissioner may permit, under such conditions as he may prescribe, the importation of a member of a species or subspecies of fish or wildlife listed in accordance with this section for educational and scientific purposes, and for the propagation of fish or wildlife in captivity for preservation purposes, unless transportation is prohibited by any federal law or regulation.

STATEMENT OF FACT

Not less than 80 different forms of fish and wildlife have been identified as endangered species by the United States Secretary of the Interior. This Bill would offer an effective method of insuring continued survival of many of the nation's endangered species of fish and wildlife.