

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 713

H.P. 518

House of Representatives, February 11, 2019

An Act To Strengthen Maine's Endangered Species Laws

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NADEAU of Winslow.

Cosponsored by Representatives: COREY of Windham, DUNPHY of Old Town, LYFORD of Eddington, MARTIN of Eagle Lake, MARTIN of Sinclair, McCREA of Fort Fairfield, REED of Carmel, STEARNS of Guilford.

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

2 **Sec. 1. 12 MRSA §12808, sub-§1**, as amended by PL 2015, c. 423, §1, is further
3 amended to read:

4 **1. Prohibited acts regarding endangered or threatened species; negligence.**
5 Except as provided in section 12808-A, a person may not negligently:

6 A. Import into the State or export out of the State any endangered or threatened
7 species. A person who violates this paragraph commits a Class ~~E~~ D crime;

8 B. Hunt, take, trap or possess any endangered or threatened species within the State.
9 A person who violates this paragraph commits a Class ~~E~~ D crime;

10 C. Possess, process, sell, offer for sale, deliver, carry, transport or ship, by any means
11 whatsoever, any endangered or threatened species or any part of an endangered or
12 threatened species. A person who violates this paragraph commits a Class ~~E~~ D crime;
13 or

14 D. Feed, set bait for or harass any endangered or threatened species. A law
15 enforcement officer, as defined in Title 25, section 2801-A, subsection 5, ~~must~~ may
16 issue a warning to a person who violates this paragraph for the first time. A person
17 who violates this paragraph after having previously been given a warning under this
18 paragraph commits a Class ~~E~~ D crime.

19 **Sec. 2. 12 MRSA §12808, sub-§1-A**, as amended by PL 2015, c. 423, §1, is
20 further amended to read:

21 **1-A. Prohibited acts regarding endangered or threatened species; intentional.**
22 Except as provided in section 12808-A, a person may not intentionally:

23 A. Import into the State or export out of the State any endangered or threatened
24 species. A person who violates this paragraph commits a Class ~~D~~ C crime;

25 B. Hunt, take, trap or possess any endangered or threatened species within the State.
26 A person who violates this paragraph commits a Class ~~D~~ C crime;

27 C. Possess, process, sell, offer for sale, deliver, carry, transport or ship, by any means
28 whatsoever, any endangered or threatened species or any part of an endangered or
29 threatened species. A person who violates this paragraph commits a Class ~~D~~ C
30 crime; or

31 D. Feed, set bait for or harass any endangered or threatened species. ~~A law~~
32 ~~enforcement officer, as defined in Title 25, section 2801-A, subsection 5, must issue a~~
33 ~~warning to a person who violates this paragraph for the first time.~~ A person who
34 violates this paragraph ~~after having previously been given a warning under this~~
35 ~~paragraph~~ commits a Class ~~D~~ C crime.

36 **Sec. 3. 12 MRSA §12810, sub-§2**, as enacted by PL 2009, c. 60, §2, is amended
37 to read:

