

§12808. Unauthorized activities regarding endangered or threatened species

For the purposes of this section and section 12808-A, "to take," "take" and "taking" mean the act or omission that results in the death of any endangered or threatened species. [PL 2015, c. 423, §1 (AMD).]

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

A. Import into the State or export out of the State any endangered or threatened species. A person who violates this paragraph commits a Class E crime, for which a fine of \$1,000 must be adjudged, none of which may be suspended; [PL 2019, c. 267, §1 (AMD).]

B. Hunt, take, trap, harass or possess any endangered or threatened species within the State. A person who violates this paragraph commits a Class E crime, for which a fine of \$1,000 must be adjudged, none of which may be suspended; [PL 2019, c. 267, §1 (AMD).]

C. Possess, process, sell, offer for sale, deliver, carry, transport or ship, by any means whatsoever, any endangered or threatened species or any part of an endangered or threatened species. A person who violates this paragraph commits a Class E crime, for which a fine of \$1,000 must be adjudged, none of which may be suspended; or [PL 2019, c. 267, §1 (AMD).]

D. Feed or set bait for any endangered or threatened species. A person who violates this paragraph commits a Class E crime for which a fine of \$1,000 must be adjudged, none of which may be suspended. [RR 2019, c. 1, Pt. A, §11 (COR).]

[RR 2019, c. 1, Pt. A, §11 (COR).]

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

A. Import into the State or export out of the State any endangered or threatened species. A person who violates this paragraph commits a Class D crime, for which a fine of \$2,000 must be adjudged, none of which may be suspended; [PL 2019, c. 267, §2 (AMD).]

B. Hunt, take, trap, harass or possess any endangered or threatened species within the State. A person who violates this paragraph commits a Class D crime, for which a fine of \$2,000 must be adjudged, none of which may be suspended; [PL 2019, c. 267, §2 (AMD).]

C. Possess, process, sell, offer for sale, deliver, carry, transport or ship, by any means whatsoever, any endangered or threatened species or any part of an endangered or threatened species. A person who violates this paragraph commits a Class D crime, for which a fine of \$2,000 must be adjudged, none of which may be suspended; or [PL 2019, c. 267, §2 (AMD).]

D. Feed or set bait for any endangered or threatened species. A person who violates this paragraph commits a Class D crime, for which a fine of \$2,000 must be adjudged, none of which may be suspended. [RR 2019, c. 1, Pt. A, §12 (COR).]

[RR 2019, c. 1, Pt. A, §12 (COR).]

2. Exceptions for certain purposes.

[PL 2015, c. 423, §1 (RP).]

3. Exceptions; incidental take plan.

[PL 2015, c. 423, §1 (RP).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B310-313 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2005, c. 477, §23 (AMD).

PL 2015, c. 423, §1 (AMD). PL 2019, c. 267, §§1, 2 (AMD). RR 2019, c. 1, Pt. A, §§11, 12 (COR).

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