

**CHAPTER 631****ENDANGERED OR THREATENED MARINE SPECIES****§6971. Commissioner's authority over marine endangered and threatened species**

In accordance with section 12801, the commissioner has authority as provided in this chapter to carry out the purpose of that section with regard to marine species. [PL 2003, c. 573, §1 (NEW).]

**SECTION HISTORY**

PL 2003, c. 573, §1 (NEW).

**§6972. Commissioner's programs**

The commissioner may establish such programs as are necessary for the protection of marine species listed pursuant to this chapter in order to achieve compliance with the United States Endangered Species Act of 1973, Public Law 93-205, as amended. [PL 2003, c. 573, §1 (NEW).]

**SECTION HISTORY**

PL 2003, c. 573, §1 (NEW).

**§6973. Designation of marine species as state endangered or state threatened**

**1. Commissioner's authority.** The commissioner may recommend a marine species found in the State for designation as a state endangered or state threatened marine species if that species is listed as an endangered or threatened species by the United States Secretary of the Interior, pursuant to the United States Endangered Species Act of 1973, Public Law 93-205, as amended. [PL 2003, c. 573, §1 (NEW).]

**2. Modification to list.** The commissioner may recommend that a marine species designated as a state endangered or state threatened species be removed from the list in section 6975 or recommend other changes to that list. [PL 2003, c. 573, §1 (NEW).]

**3. Public notice and hearings.** Prior to recommending an addition, deletion or other change to the list of state endangered and state threatened marine species in section 6975, the commissioner shall provide for public notice and public hearings on that proposed recommendation in accordance with the provisions of Title 5, chapter 375, subchapter 2. [PL 2003, c. 573, §1 (NEW).]

**SECTION HISTORY**

PL 2003, c. 573, §1 (NEW).

**§6974. Legislative authority**

The Legislature has sole authority to designate a marine species as a state endangered or state threatened species or to remove a species or change the designation of a species listed in section 6975. [PL 2003, c. 573, §1 (NEW).]

**SECTION HISTORY**

PL 2003, c. 573, §1 (NEW).

**§6975. List of state endangered and state threatened marine species**

The list of state endangered or state threatened marine species by common name, scientific name and status is as follows: [PL 2003, c. 573, §1 (NEW).]

1. **Right whale.** Right whale, *Eubalaena glacialis*, endangered; [PL 2003, c. 573, §1 (NEW).]
2. **Humpback whale.** Humpback whale, *Megaptera novaeangliae*, endangered; [PL 2003, c. 573, §1 (NEW).]
3. **Finback whale.** Finback whale, *Balaenoptera physalus*, endangered; [PL 2003, c. 573, §1 (NEW).]
4. **Sperm whale.** Sperm whale, *Physeter catodon*, endangered; [PL 2003, c. 573, §1 (NEW).]
5. **Sei whale.** Sei whale, *Balaenoptera borealis*, endangered; [PL 2003, c. 573, §1 (NEW).]
6. **Leatherback turtle.** Leatherback turtle, *Dermochelys coriacea*, endangered; [PL 2003, c. 573, §1 (NEW).]
7. **Atlantic ridley turtle.** Atlantic ridley turtle, *Lepidochelys kempii*, endangered; [PL 2007, c. 6, §1 (AMD).]
8. **Loggerhead turtle.** Loggerhead turtle, *Caretta caretta*, threatened; and [PL 2007, c. 6, §2 (AMD).]
9. **Shortnose sturgeon.** Shortnose sturgeon, *Acipenser brevirostrum*, endangered. [PL 2007, c. 6, §3 (NEW).]

#### SECTION HISTORY

PL 2003, c. 573, §1 (NEW). PL 2007, c. 6, §§1-3 (AMD).

#### §6976. Cooperative agreements

The commissioner may enter into agreements with federal agencies, other states, state agencies, political subdivisions of this State or private persons for the establishment and maintenance of programs for the conservation of state endangered or state threatened marine species and may receive all federal funds allocated for obligations to the State pursuant to these agreements. Federal funds received for the conservation of state endangered or state threatened marine species listed pursuant to this chapter must be allocated directly to the department to ensure compliance with any conditions of the listing. [PL 2003, c. 573, §1 (NEW).]

#### SECTION HISTORY

PL 2003, c. 573, §1 (NEW).

#### §6977. Annual report

**(REPEALED)**

#### SECTION HISTORY

PL 2003, c. 573, §1 (NEW). PL 2011, c. 598, §48 (RP).

#### §6978. Endangered or Threatened Marine Species Fund

The Endangered or Threatened Marine Species Fund, referred to in this section as "the fund," is established within the department. [PL 2007, c. 25, §1 (NEW).]

1. **Sources.** The commissioner may receive donations and funding from any source on behalf of the fund. [PL 2007, c. 25, §1 (NEW).]

**2. Purpose; use of fund.** The purpose of the fund is to support activities related to the management of endangered or threatened marine species. All money received into the fund must be used for the purposes of the fund.

[PL 2007, c. 25, §1 (NEW).]

**3. Interest and balances credited to fund.** Any interest earned on the money in the fund must be credited to the fund. Unexpended balances in the fund at the end of the fiscal year do not lapse but must be carried forward to the next fiscal year and credited to the fund to be used for the purposes of this section.

[PL 2007, c. 25, §1 (NEW).]

#### SECTION HISTORY

PL 2007, c. 25, §1 (NEW).

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