**§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.