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Date: (Filing No. S-)

INLAND FISHERIES AND WILDLIFE

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 91, L.D. 305, Bill, “An Act To Require Permits for Wildlife in Captivity and Notification of the Escape of Exotic Wildlife in Captivity”

Amend the bill by striking out the title and substituting the following:

'An Act To Increase the Penalty for Allowing Wildlife in Captivity To Escape in Violation of a Permit Requirement'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §12151, sub-§2, as amended by PL 2015, c. 374, §§3 and 4, is further amended to read:

2. Penalties. ~~The Except as provided in section 12152, subsection 7, the~~ following penalties apply to violations of this section.

- A. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$500 may be adjudged.
- B. A person who violates subsection 1 after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.
- C. The department may seize fish or wildlife in accordance with sections 10502 and 10503 from a person who violates subsection 1.

Sec. 2. 12 MRSA §12152, sub-§7 is enacted to read:

7. Escaped wildlife prohibition; penalty. A person may not allow wildlife in captivity to escape that person's possession or control in violation of:

- A. Rules adopted pursuant to subsection 5; or
- B. An additional permit condition or requirement assigned pursuant to subsection 6.

COMMITTEE AMENDMENT

1 Notwithstanding section 12151, subsection 2, a person who violates this subsection
2 commits a Class E crime.'

3 **SUMMARY**

4 This amendment changes the title and replaces the bill. The bill provides that a permit
5 is required to import exotic wildlife or possess wildlife in the State or receive exotic
6 wildlife and stipulates the requirements for that permit. The amendment provides that a
7 person who allows wildlife in captivity to escape that person's possession or control in
8 violation of rules governing keeping wildlife in captivity or an additional permit
9 condition or requirement commits a Class E crime.