

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN

—
S.P. 91 - L.D. 305

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

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

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. ~~The following provisions apply to escaped wildlife.~~

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

- (1) Rules adopted pursuant to subsection 5; or
- (2) An additional permit condition or requirement assigned pursuant to subsection 6.

B. Notwithstanding section 12151, subsection 2, a person who violates paragraph A commits:

(1) A Class E crime if the wildlife is permitted in accordance with this section and the permit holder does not immediately notify a law enforcement officer that the wildlife has escaped;

(2) A Class E crime if the wildlife is not permitted in accordance with this section and the person immediately notifies a law enforcement officer that the wildlife has escaped; or

(3) A Class D crime if the wildlife is not permitted in accordance with this section and the person does not immediately notify a law enforcement officer that the wildlife has escaped.