

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE
IN SUPPORT OF
L.D. 713**

“An Act To Strengthen Maine’s Endangered Species Laws”

SPONSORED BY: Representative Nadeau of Winslow

CO-SPONSORED BY: Representative Corey of Windham
Representative Dunphy of Old Town
Representative Lyford of Eddington
Representative Martin of Eagle Lake
Representative Martin of Sinclair
Representative McCrea of Fort Fairfield
Representative Reed of Carmel
Representative Stearns of Guilford

Good afternoon Senator Dill, Representative Nadeau and members of the Inland Fisheries and Wildlife Committee. I am Charlie Todd, Endangered Species Coordinator at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in support of **L.D. 713**.

Maine Game Wardens are responsible for enforcing laws enacted to protect endangered and threatened species. When encountering law violations, game wardens determine whether the violation was deliberate or unintentional. Based on their judgement, game wardens use discretion in their enforcement action. Intentional violators can face court action while unintended violators might be warned and educated as to the importance of endangered species law.

As Maine’s Endangered and Threatened Species law is currently written, wardens do not have discretion when encountering the illegal feeding, baiting or harassing of endangered or threatened species. Wardens are required to issue warnings for first-time offences no matter how egregious the violation is.

This bill gives game wardens and other law enforcement officers discretion in issuing a warning to a first-time violator of the State's laws prohibiting negligently feeding, baiting or harassing an endangered or threatened species or feeding, baiting or harassing a delisted species. It removes the requirement that a law enforcement officer must issue a

warning to a first-time violator of the law prohibiting intentionally feeding, baiting or harassing an endangered or threatened species.

I need to add that although we are supportive of the law change, we are not supportive of the penalty phase included as drafted that would create a felony. We would offer that perhaps the committee should consider a minimum mandatory penalty for the Class D portion of the language drafted.

I would be glad to answer any questions at this time or during the work session.