

(a) The General Assembly finds that certain wildlife are endangered and are entitled to preservation and protection as a matter of general State concern. The Federal Endangered Species Act of 1969, 16 U.S.C. § 668aa-1 et seq., and the Lacey Act, 18 U.S.C. §§ 42-44, together provide for protection of wildlife threatened with worldwide extinction by prohibiting importation of endangered wildlife, and by restricting and regulating interstate and foreign commerce in wildlife hunted in violation of state, federal, and foreign laws. The states, however, also must assume responsibility to conserve endangered wildlife by restricting hunting, possessing, transporting, processing, or selling endangered wildlife within their respective jurisdictions to assure continued survival and propagation of endangered wildlife for the aesthetic, recreational, and scientific purposes of future generations. The General Assembly finds that by eliminating the hunting, possessing, transporting, processing, or selling of endangered species of wildlife in the State, and by establishing a program for conservation and restoration of these endangered species, their potential for continued existence can be strengthened.

(b) Except as provided in subsection (f), and notwithstanding any other provision of this title, hunting, transporting, possessing, processing, or selling within the State any wildlife appearing on any of the following lists is prohibited:

(1) The United States' list of endangered foreign fish and wildlife, Part 17 of Title 50 of the Code of Federal Regulations, Appendix A, as amended;

(2) The United States' list of endangered native fish and wildlife, Part 17 of Title 50 of the Code of Federal Regulations, Appendix D, as amended; and

(3) The Department's endangered species list.

(c) The Secretary shall inventory and investigate the status of all wildlife found in the State to determine whether they are threatened with Statewide extinction. The Secretary shall maintain a list of wildlife threatened with Statewide extinction giving their common and scientific names by species and sub-species. For this purpose, wildlife are "threatened with Statewide extinction" if the Secretary determines, based on the best scientific and commercial data available to him, and after consultation with other State wildlife directors, federal agencies, and other interested persons and organizations, that the continued existence of the wildlife is endangered in the State due