

MAINE STATE LEGISLATURE

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PL 95

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DATE: June 12, 1995 (Filing No. S- 248)

INLAND FISHERIES AND WILDLIFE

Reported by: The Majority of the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 167, L.D. 428, Bill, "An Act to Require That Additions to the Endangered Species List Be Approved by the Legislature"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 12 MRSA §7001, sub-§7, as enacted by PL 1979, c. 420, §1, is amended to read:

7. Endangered species. "Endangered species" means any species of fish or wildlife which that has been determined by the Secretary of the Interior of the United States pursuant to the United States Endangered Species Act of 1973, Public Law 93-205, as amended, ~~or the commissioner pursuant to this chapter~~ to be in danger of extinction throughout all or a significant portion of its range or listed under section 7753, subsection 3.'

Further amend the bill in section 1 in that part designated "**§7753.**" in subsection 2 by striking out all of paragraph C and inserting in its place the following:

'C. Maintain a list of all species which ~~he~~ that the Legislature has designated to be endangered or threatened, naming each species ~~contained therein~~ by both its scientific and common name, if any, and specifying over what portion of its range each species so designated is endangered or threatened, ~~except that no species shall be added to or delete from the list unless notice of the change is published and a public hearing thereon has been held in accordance with the procedures established in section 7035, subsection 1.~~

COMMITTEE AMENDMENT

R. & S.

COMMITTEE AMENDMENT "A" to S.P. 167, L.D. 428

Further amend the bill in section 1 in that part designated "§7753." by striking out all of subsection 3 and inserting in its place the following:

'3. Legislative authority. The Legislature, as sole authority, shall designate a species as endangered or threatened. The list is as follows:

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<u>Least Tern</u>	<u>Sterna albifrons</u>	<u>Endangered</u>
<u>Golden Eagle</u>	<u>Aquila chrysaetos</u>	<u>Endangered</u>
<u>Piping Plover</u>	<u>Charadrius melodus</u>	<u>Endangered</u>
<u>Sedge Wren</u>	<u>Cistothorus platenis</u>	<u>Endangered</u>
<u>Grasshopper Sparrow</u>	<u>Ammodramus savannarum</u>	<u>Endangered</u>
<u>Box Turtle</u>	<u>Terrapene carolina</u>	<u>Endangered</u>
<u>Black Racer</u>	<u>Coluber constrictor</u>	<u>Endangered</u>
<u>Roseate Tern</u>	<u>Sterna dougallii</u>	<u>Threatened</u>
<u>Northern Bog Lemming</u>	<u>Synaptomys borealis</u>	<u>Threatened</u>
<u>Loggerhead Turtle</u>	<u>Caretta caretta</u>	<u>Threatened</u>
<u>Blanding's Turtle</u>	<u>Emydoidea blandingii</u>	<u>Threatened</u>
<u>Spotted Turtle</u>	<u>Clemmys guttata</u>	<u>Threatened</u>

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

STATEMENT OF FACT

This is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife.

This amendment amends the definition of endangered species to reflect the intent of the bill and makes a technical correction in the list of endangered and threatened species. The amendment also strikes a provision in the bill that proposed to allow the Commissioner of Inland Fisheries and Wildlife to delete a species from the statutory list. Under this amendment, the Legislature is the only entity that could add or remove a species from the list of endangered or threatened species.