# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

### **FIRST REGULAR SESSION-1997**

Legislative Document

No. 377

S.P. 98

In Senate, January 23, 1997

An Act to Improve Wildlife Habitat.

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator RUHLIN of Penobscot. Cosponsored by Senators: FERGUSON of Oxford, HALL of Piscataquis, Representative: FISHER of Brewer.

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

Sec. 1. 12 MRSA  $\S685$ -A, sub- $\S6$ ,  $\PA$ , as amended by PL 1975, c. 497,  $\S3$ , is further amended to read:

A. The Department of Inland Fisheries and Wildlife has met with the landowner for the purpose of reaching a cooperative wildlife management agreement as to the areas to be designated. The terms of any such agreement shall must be reported to the commission by the department. If the parties agree to a cooperative wildlife management agreement that complies with section 7037, subsection 3, the land governed by that agreement is exempt from the protection district or subdistrict standards relating to deer wintering habitat. Deer wintering habitat on land governed by the agreement is regulated under the terms of that agreement. If the parties were unable to agree, the substance of and reasons for such disagreement shall must be reported to the commission by the department and the landowner; and

### Sec. 2. 12 MRSA §7037, sub-§3 is enacted to read:

3. Cooperative wildlife management agreements. The Department of Inland Fisheries and Wildlife may enter into a cooperative wildlife management agreement with a person owning land that is located partly or wholly within the jurisdiction of the Land Use Regulation Commission and that, according to the criteria established by the commissioner, includes all or part of a deer wintering area. The commissioner may enter into such an agreement only if the commissioner determines that the terms of the cooperative wildlife management agreement provide sufficient protection for that deer wintering habitat.

#### **SUMMARY**

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to enter into a cooperative wildlife management agreement with a person owning land in Land Use Regulation Commission jurisdiction that contains a deer wintering habitat. The commissioner may enter into such an agreement only if, in the commissioner's opinion, the agreement provides sufficient protection to the deer wintering habitat. Land covered by such an agreement is exempt from deer wintering habitat rules adopted by the Land Use Regulation Commission.