

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 2104

H.P. 1603

House of Representatives, February 12, 2002

**An Act to Further Protect the Nesting Habitat of Endangered and Threatened Species.**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BROOKS of Winterport.  
Cosponsored by Senator NUTTING of Androscoggin and  
Representatives: COWGER of Hallowell, DUNLAP of Old Town, JODREY of Bethel,  
JONES of Greenville, LUNDEEN of Mars Hill, McKEE of Wayne, PINEAU of Jay,  
VOLENIK of Brooklin.

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

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**Sec. 1. 12 MRSA §8883, sub-§1, ¶1,** as amended by PL 1997, c. 648, §5, is further amended to read:

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I. A map locating the harvest site in relation to known or easily identifiable terrain features, such as a road junction or a stream and road junction. The map also must show the location of any site within the harvesting area that is known to the landowner or the Department of Inland Fisheries and Wildlife, at the time notification under this section is provided, to serve currently or historically as the nesting site for a species listed as endangered or threatened in section 7753, subsection 3. If no such sites are known, the landowner must indicate on the map that no such sites are known to exist within the harvesting area. This paragraph may not be construed to be a defense to any action for a violation of chapter 713, subchapter 5. The map must be a copy of a 7.5 or 15 minute series topographical map produced by the United States Geological Survey or a map of equivalent or superior detail in the location of roads; and

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**SUMMARY**

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This bill requires landowners to include on the map provided to the Department of Conservation prior to commencing harvesting activities the location of any site in the harvesting area known to the landowner or the Department of Inland Fisheries and Wildlife to currently or historically serve as the nesting site for a species listed in the Maine Revised Statutes as endangered or threatened. Filing this information with the Department of Conservation does not create a defense against any actions taken for a violation of the State's endangered and threatened species laws.