

MAINE STATE LEGISLATURE

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SAR
ROFS

Date:

4/5/21

L.D. 88

(Filing No. H- 64)

3 INLAND FISHERIES AND WILDLIFE

4 Reproduced and distributed under the direction of the Clerk of the House.

5 STATE OF MAINE

6 HOUSE OF REPRESENTATIVES

7 130TH LEGISLATURE

8 FIRST SPECIAL SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 54, L.D. 88, "An Act To Amend Maine's
10 Wildlife Laws Regarding Species of Special Concern"

11 Amend the bill by striking out all of section 1 and inserting the following:

12 'Sec. 1. 12 MRSA §10001, sub-§58-A is enacted to read:

13 58-A. Species of special concern. "Species of special concern" means a species of
14 fish or wildlife that is not an endangered species or a threatened species but meets criteria
15 for being of special concern as established by the commissioner by rule under section
16 10105, subsection 19.'

17 Amend the bill by inserting after section 1 the following:

18 'Sec. 2. 12 MRSA §10105, sub-§19 is enacted to read:

19 19. Species of special concern. The commissioner by rule shall establish criteria for
20 determining when a species of fish or wildlife that is not an endangered species or a
21 threatened species is of special concern. The rules may include different criteria for
22 categories of species of special concern, including a category for species that are rare. The
23 rules must list the species that meet the criteria established in rule. The commissioner shall
24 use the list in administering section 12152 and may also use the list in administering any
25 other laws or programs or when providing advisory recommendations to other entities or
26 agencies on fish and wildlife matters in accordance with applicable laws or rules.

27 Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter
28 375, subchapter 2-A.'

29 Amend the bill in section 4 in subsection 4 in the first line (page 1, line 37 in L.D.) by
30 striking out the following: "~~hearings~~ hearing" and inserting the following: 'hearings'

31 Amend the bill in section 4 in subsection 4 in the 3rd line (page 1, line 39 in L.D.) by
32 striking out the following: "a" and inserting the following: 'at least one'

33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
34 number to read consecutively.

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SUMMARY

2 This amendment removes subjective language from the definition of "species of special
3 concern" and provides for a rule-making process for identifying a species as a species of
4 special concern and provides the framework for the rule-making process in a new section
5 under the powers of the Commissioner of Inland Fisheries and Wildlife. The amendment
6 also clarifies that the process undertaken by the commissioner in order to make a
7 recommendation to the Legislature that a species be added to or deleted from the
8 endangered or threatened species list requires only one public hearing, but may include
9 more than one public hearing.

FISCAL NOTE REQUIRED

(See attached)

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130th MAINE LEGISLATURE

LD 88

LR 96(02)

An Act To Amend Maine's Wildlife Laws Regarding Species of Special Concern

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-64)

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor savings - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Inland Fisheries and Wildlife (IFW) as a result of changes to the definition of "species of special concern" are anticipated to be minor and can be absorbed within existing budgeted resources. Changes to the number of public hearings required when IFW considers adding to or removing from the endangered or threatened species list may result in minor savings.