

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
FISHERIES AND WILDLIFE

MAY 1988

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Sen. Linda Curtis Brawn

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* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

guidelines if necessary. The amendment also proposed a section to ensure that the State and local land use permits do not adversely affect endangered species habitat.

The committee issued a divided report. LD 2568, the minority report, would have included only the section to allow the Attorney General to bring injunctive proceedings to prevent the harm, misuse, export, possession, sale or harassment of endangered species.

The majority report which was accepted (LD 2567) has four major components:

1. Allows the commissioner to designate essential habitat for the preservation of the species and establish management guidelines for this habitat;
2. Prohibits state agencies and local governments from permitting projects that will significantly alter these areas;
3. Establishes a variance procedure for state and local governments; and
4. Establishes the ability of the Attorney General to file an injunction to stop projects that violate these laws. This section allows the Attorney General to initiate action under more circumstances in support of the Endangered Species Act.

The House Amendment (H-528) replaced subsection 2 of the majority report to limit areas to be protected under this Act to those that currently or historically hosted endangered species.

A Senate amendment (S-364) which was not adopted would have deleted the provision for state and local government to review permits for potential violations.

LD 2568 An Act to Amend the Endangered Species Act

NOT
ACCEPTED

SPONSOR(S)

MCGOWAN
USHER
CLARK H
JACQUES

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

ND Min Rpt of 2164

See Majority Report, LD 2567.