

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the determination of whether or not a vernal pool habitat is significant for the purposes of the Natural Resources Protection Act is necessary to ensure proper protection of the resource; and

Whereas, the timeframe for making a determination of whether a vernal pool habitat is not significant and therefore not protected under the Natural Resources Protection Act needs to be expanded prior to the commencement of the next field determination season; and

Whereas, in order to reduce confusion, clarification of the specific types of rare species that must be evaluated in determining whether a vernal pool habitat is significant is needed prior to the commencement of the next field determination season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill in section 1 in §480-FF in the first and 2nd lines (page 1, lines 4 and 5 in L.D.) by striking out the following: "**high and moderate value waterfowl and wading bird habitats and**"

Amend the bill in section 1 in §480-FF in the first paragraph in the 2nd line (page 1, line 7 in L.D.) by striking out the following: "(2) or"

Amend the bill in section 3 in subsection 1 by striking out all of paragraphs B and C (page 1, lines 39 and 40 and page 2, lines 1 to 6 in L.D.) and inserting the following:

B. In addition to state threatened and endangered species, for purposes of determining whether a vernal pool habitat is significant, the rare species that must be considered are limited to: Ribbon Snakes, Wood Turtles, Swamp Darner Dragonflies and Comet Darner Dragonflies.

C. In order to be identified as part of a significant vernal pool habitat, the vernal pool may not have a permanent flowing inlet or outlet.

Amend the bill by adding before the summary the following:

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

SUMMARY

This amendment further narrows the requirement for notification concerning significant wildlife habitats to shorebird nesting, feeding and staging areas. It clarifies that for purposes of identifying a significant vernal pool habitat, the consideration of rare species is limited to the species identified in the bill. It clarifies that in order to be identified as part of a significant vernal pool habitat, the vernal pool may not have a permanently flowing inlet or outlet. It also adds an emergency preamble and an emergency clause.

FISCAL NOTE REQUIRED
(See attached)