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Date: (Filing No. H-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 794, L.D. 1246, “An Act to Include Endangered and Threatened Species Habitat in the Definition of "Significant Wildlife Habitat" Under the Natural Resources Protection Act”

Amend the bill in section 2 in paragraph B by striking out all of subparagraph (4) (page 1, lines 24 and 25 in L.D.) and inserting the following:

'(4) Habitat for state endangered and state threatened species listed under Title 12, section 12803, subsection 3 that is within another protected natural resource area or that is located wholly or partly within the boundaries of a proposed project site that requires approval from:

(a) The department pursuant to this article or article 6, 7 or 8-A, except for activity or development on a residential lot that is not part of a proposed multi lot housing development; or

(b) The Maine Land Use Planning Commission pursuant to this article as provided in section 480-E-1 or, for subdivisions and nonresidential uses only, pursuant to Title 12, chapter 206-A.'

Amend the bill in section 3 in §480-BB in the first paragraph in the 8th line (page 1, line 35 in L.D.) by striking out the following: "or" and inserting the following: 'or ,'

Amend the bill in section 3 in §480-BB in the first paragraph in the 8th line (page 1, line 35 in L.D.) by inserting after the following: "areas" the following: 'or habitat for state endangered and state threatened species listed under Title 12, section 12803, subsection 3'

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

SUMMARY

This amendment limits the change in the bill to the definition of "significant wildlife habitat" under the Natural Resources Protection Act to include only habitat for state endangered and state threatened species that is within another protected natural resource

COMMITTEE AMENDMENT

1 area or that is wholly or partly contained within the boundaries of a proposed project site
2 that requires approval from the Department of Environmental Protection pursuant to the
3 Natural Resources Protection Act, the site location of development laws or the laws on
4 performance standards for quarries or for excavations for borrow, clay, topsoil or silt or
5 from the Maine Land Use Planning Commission pursuant to the Natural Resources
6 Protection Act or, for subdivisions and nonresidential uses only, the commission's use
7 regulation laws. The amendment also requires the department to adopt major substantive
8 rules regarding the criteria used to determine whether an area is habitat for state endangered
9 or state threatened species.

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FISCAL NOTE REQUIRED
(See attached)