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Date: (Filing No. H-)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

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

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

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

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

Amend the bill by inserting after section 1 the following:

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

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

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

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

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

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

COMMITTEE AMENDMENT

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SUMMARY

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

FISCAL NOTE REQUIRED

(See attached)