

Amendment to SB 129

1 Amend the bill by replacing section 1 with the following:

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3 1 Endangered Species Conservation Act; Conservation Programs. RSA 212-A:9, III is repealed
4 and reenacted to read as follows:

5 III. All other state departments and agencies, to the extent possible, consistent with their
6 authorities and responsibilities, shall assist and cooperate with the executive director in the
7 furtherance of the purposes of this chapter for the conservation of endangered or threatened species.
8 They shall take such action as is reasonable and prudent to insure that actions authorized, funded,
9 or carried out by them do not significantly jeopardize the continued existence of such species or
10 result in the destruction or modification of habitat of such species which is determined by the
11 executive director to be critical, by requiring that all such action is designed to avoid and minimize
12 harm to endangered and threatened species and habitat designated as critical. For the purposes of
13 this statute, "significantly" shall be defined by the fish and game department and the department of
14 environmental services through RSA 541-A. The provisions of RSA 212-A or any rule adopted under
15 this chapter, or any rule which refers to the requirements of this chapter, shall not be applicable to a
16 state department or agency when that state department or agency, in the process of undertaking an
17 action, is required by federal law or regulation, or which has adopted internal policies or procedures,
18 to address the environmental impact on endangered or threatened wildlife or wildlife habitat
19 designated as critical.