

§12823. Endangered plant species and threatened plant species

The commissioner has the following responsibilities related to endangered plant species and threatened plant species. [PL 2025, c. 706, §32 (NEW).]

1. Official list of endangered plant species and threatened plant species. The commissioner shall establish and maintain an official list of endangered plant species and threatened plant species of the State. The purpose of the list is informational and may be provided on an informational basis to public agencies, private institutions or individuals for environmental assessment, land management or educational purposes.
[PL 2025, c. 706, §32 (NEW).]

2. Identification procedures. The commissioner may establish procedures to substantiate the identification of endangered plant species and threatened plant species. In determining and revising the official list under subsection 1, the commissioner shall use the department's rare plant database and the knowledge of botanists in the State. In addition, the commissioner shall consult with federal agencies, interested state agencies, other states or provinces having a common interest and other interested persons and organizations. The commissioner shall determine criteria for each category. When establishing the list, the commissioner shall consider aspects of plant biology that contribute to a species' rarity, such as:

A. Endemism. A plant species or subspecies may be geographically restricted to the State or areas immediately adjacent to the State; [PL 2025, c. 706, §32 (NEW).]

B. Scarcity. A plant species or subspecies may be scarce throughout its distribution in North America and occur in only a few locations in the State; [PL 2025, c. 706, §32 (NEW).]

C. Special habitat. A plant species or subspecies may require habitat that is scarce in the State; [PL 2025, c. 706, §32 (NEW).]

D. Limit of range. A plant species or subspecies in the State may be at the edge of its distribution or disjunct from its main distribution; and [PL 2025, c. 706, §32 (NEW).]

E. Population decline or vulnerability. A plant species or subspecies may be threatened or seriously declining due to habitat modification or destruction or from overcollection for commercial, recreational or educational purposes. [PL 2025, c. 706, §32 (NEW).]

[PL 2025, c. 706, §32 (NEW).]

3. Public hearing. The commissioner shall conduct at least one public hearing to allow for public comment before establishing or revising the official list under subsection 1.
[PL 2025, c. 706, §32 (NEW).]

4. Review of inventory. The commissioner shall review the official list under subsection 1 biennially and add or delete a plant species or subspecies based on new botanical inventory data, taxonomic or other scientific studies or other documentation.
[PL 2025, c. 706, §32 (NEW).]

SECTION HISTORY

PL 2025, c. 706, §32 (NEW).

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