

# MAINE STATE LEGISLATURE

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**ENERGY & NATURAL RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1309, L.D. 1764, Bill, "An Act to Preserve Productive Forests"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

**Sec. 1. Evaluation of forest practices.** The Department of Conservation shall evaluate the implementation of the Maine Revised Statutes, Title 12, chapter 805, subchapter III-A and the forest harvest regulations adopted pursuant to Title 12, section 8869 and conduct an assessment of pressures on the State's forest resources. That evaluation and assessment must include:

**1. Evaluation.** Research necessary to determine:

A. The extent to which forest landowners are harvesting to the minimum standards adopted in the forest harvest regulations;

B. How the separation zones around clear-cuts are being managed;

C. The total acreage, the average acreage, the range of acreage and the geographic distribution of clear-cuts in the State; and

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D. Research into any other question the department considers essential to obtain an understanding of how the Maine Revised Statutes, Title 12, chapter 805, subchapter III-A and the forest harvest regulations have affected forest harvesting practices in the State.

The department shall report its findings on research conducted under this subsection to the joint standing committee of the Legislature having jurisdiction over energy and natural resource matters no later than April 1, 1995; and

2. Assessment of pressures. The convening of a technical working group to review and assess the pressures on the State's forest resources. That review and assessment must include an analysis of market and nonmarket forces shaping forest management policy and practices in the State, including, but not limited to, changes in the global wood supply and demand, federal and State regulatory policies, public concerns and biological considerations. The Commissioner of Conservation shall appoint the members of the technical working group. Members must include representatives of the commercial forest industry in the State, environmental organizations, wood harvesters and interested members of the public and may include any other persons or organizations having an interest in forest policy in the State. The department shall report the findings and recommendations of the technical working group to the joint standing committee of the Legislature having jurisdiction over energy and natural resource matters no later than September 1, 1995.

Sec. 2. Positions; funding. The Legislature shall fund, as part of the fiscal year 1994-95 supplemental budget, 4 positions in the Department of Conservation to conduct the evaluation and assessment required by this Act. Those positions are one Forester II position, which must be a one-year project position; one Enforcement Coordinator position; one Chief Planner position; and one Clerk Typist III position. The person hired to fill the position of Chief Planner must be a person who holds a baccalaureate degree in an area of natural resource science and has 4 years' experience in forestry or who holds a baccalaureate degree in forestry and has 4 years' professional-level experience in natural resource planning and research.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The evaluation required by this bill will result in additional General Fund expenditures of \$234,942 for the

2 Department of Conservation to cover the costs of authorizing one  
3 Enforcement Coordinator position; one Forester II, which must be  
4 a one-year project position; one Clerk Typist III position; and  
5 one Chief Planner position and general operating costs in fiscal  
6 year 1994-95.

7 The provisions of the bill specify that these costs will be  
8 funded by the fiscal year 1994-95 supplemental budget bill. This  
9 bill should be placed on the Special Appropriations table. If  
10 the costs are not funded in the supplemental budget bill, the  
11 bill should be amended to include an appropriation section.'

#### 14 STATEMENT OF FACT

15 This amendment replaces the bill.

16 The amendment directs the Department of Conservation to  
17 evaluate the laws governing forest practices and rules adopted to  
18 implement those laws. The amendment also requires the department  
19 to convene a technical working group to assess the market and  
20 nonmarket pressure being applied to the Maine forests. A report  
21 is required on the evaluation by April 1, 1995 and a report is  
22 required on the assessment by September 1, 1995.

23 The amendment states that it is the intent of the  
24 Legislature to fund the 4 positions necessary to carry out this  
25 legislation from the General Fund in the fiscal year 1994-95  
26 supplemental budget.