

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT"§"to S.P. 678, L.D. 2095, Bill, "AN ACT to Facilitate the Operation of the Spruce Budworm Suppression Act."

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 12 MRSA §1016, as enacted by PL 1975, c. 764, §3, is repealed and the following enacted in its place:

§1016. Designated areas

1. High hazard designation. The State Entomologist shall, not later than October 15th of each year, designate the high hazard areas of the State which in his judgment contain trees in immediate danger of significant growth loss and mortality from spruce budworm infestations. The designations made by the State Entomologist shall be on the basis of data available to the Bureau of Forestry, including, but not limited to, egg mass counts, evidence of defoliation, tree vigor, photography and similar information. The State Entomologist shall annually prepare maps showing the designated high hazard areas.

2. Spray designation. The Director of the Bureau of Forestry shall, not later than February 15th of each year, designate the areas of the State upon which in his judgment it is necessary to apply chemical, biological or other material in order to suppress and control spruce budworm infestations. In making the designations, the director shall consider the following factors: The high hazard areas; the risk to the natural environment; the risk to human health

and safety; the feasibility and effectiveness of spray treatment; the availability of cost-effective alternative treatment measures; and the availability of resources necessary to carry out the spray operation. The director shall provide forest landowners in the Spruce Fir Forest Protection District with an opportunity to submit their recommendations and any information in support thereof with respect to what areas should be designated. The director shall annually prepare maps showing the designated spray areas.

3. Notices. Within 10 days of the designations required by subsections 1 and 2 respectively, the Forest Insect Manager shall cause to be published in the state paper, and ⁱⁿ such other newspapers as he deems appropriate, notices of the designations. The notices shall indicate locations where area maps shall be available for inspection and where further information may be obtained, and shall, in the case of the designation of the high hazard area, provide information concerning withdrawal procedures under sections 1017 and 1018.

4. Redesignation of area to be sprayed. The Director of the Bureau of Forestry may, at his discretion, change the actual boundaries of the spray area at any time on the basis of reevaluation of any of the factors set forth in subsection 2.'

Statement of Fact

This amendment authorizes the Director of the Bureau of Forestry to designate the actual area to be sprayed for ~~Spruce~~ Budworm suppression. It does not change the existing bounds of the Spruce

Fir Forest Protection District.

Reported by the Committee on Natural Resources.

Reproduced and distributed pursuant to Senate Rule 11-A.

February 24, 1978

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