

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-344)

SENATE AMENDMENT "A" to H.P. 1127, L.D. 1498, Bill, "AN ACT to Recodify and Resolve Minor Administrative Problems in the Forestry Statutes; and Reorganize the Maine Forestry District."

Amend the bill in section 2 in that part designated "§558." subsection 2, paragraph A, by striking out at the end the semi-colon and inserting in its place a period; and further by adding new sentence:
the following/ 'He may also lease, for a period of not more than 5 years, a buffer zone of not more than 30 feet in width around a permanent structure located on submerged or intertidal land, provided the lease is necessary to preserve the integrity and safety of the structure, and the Commissioner of Marine Resources consents to that lease;'

Further amend the bill in section 3 in that part designated "§8402." in the first paragraph, 5th line, (4th line in LD) by inserting after the underlined word "distribution" the following: 'the burden of losses attributable to budworm infestation, the maintenance'

Further amend the bill in section 3 in that part designated "§8405." subsection 1, by striking out all of the 2nd sentence and inserting in its place the following: 'The Bureau of the Budget shall include this recommended amount in the Part 1 budget.'

Further amend the bill in section 3 in that part designated "§8405." by striking out all of subsection 6.

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Further amend the bill in section 3 in that part designated "§8406." by striking out all of subsection 2 and inserting in its place the following:

'2. Tax rate. The excise tax on parcels of softwood forest land shall be 37¢ per acre for 1978 and \$1.24 per acre for 1979. The excise tax on parcels of mixed wood forest land shall be 18 1/2¢ per acre for 1978 and 62¢ per acre for 1979.'

Further amend the bill in section 3 by striking out all of that part designated "§8701." and inserting in its place the following:

'§8701. Establishment of nurseries

1. Establishment; purpose. The director may establish within the State one or more forest nurseries, the maintenance of which shall be paid for from the appropriation for that purpose. The object of these nurseries is to furnish at cost forest tree seedlings, transplants and shrub material for use in planting the present and potential forest lands within the State.

2. Surplus. The director is authorized to dispose of surplus materials from the nursery at or below cost to other state or governmental agencies for such uses as erosion control, windbreaks and wildlife habitat.

3. Resale. No person may resell at a profit seedlings, transplants or shrub material with their roots attached received from the nursery or their assigns. Any person who violates this prohibition shall be subject to a civil penalty not to exceed 200% of the value received at resale, payable to the State, to be recovered in a civil action.'

Further amend the bill in section 3 by inserting after that part designated "§8849." the following:

'SUBCHAPTER IV

ASSESSMENT OF FOREST RESOURCES

§8871. Maine's forests

The Legislature finds that the forests of Maine have been subject to increased demand for timber, increased pressure from competing land uses and significantly increased mortality losses in the last decade. In view of the critical importance of the forest resource to the State's economy, it is essential that the State have the capability to study changing forest resource trends. To obtain sufficient information about the present and future status of Maine's forests, extensive additional surveys, studies and analyses are necessary.

§8872. Assessment of forest resources

The Department of Conservation is hereby authorized and directed to conduct such studies, surveys and analyses as are necessary to provide State Government, the forest industry and Maine citizens with an adequate assessment of Maine's forest resources. These studies and surveys may include, but need not be limited to, surveys of wood utilization by primary and secondary wood processing industries, surveys of forest regeneration, analyses of volume tables and programs to enhance the usefulness and availability of available data.

§8873. Annual report

The Commissioner of Conservation shall provide an annual report no later than October 1, 1981 to the Legislature detailing the status of work performed pursuant to this chapter.

§8874. Cooperation

The activities authorized hereunder shall be performed in cooperation with relevant federal, state and local agencies, as well as private and other nongovernmental groups concerned with Maine's forests. The work shall be fully coordinated with the ongoing departmental and federal forestry program planning efforts.

§8875. Authority

The Department of Conservation is hereby authorized to enter into agreements, to secure the services of contractors and consultants and accept and expend funds from other governmental agencies in order to carry out the purposes of this chapter.'

Statement of Fact

The purposes of this amendment are to correct conflicts with earlier, enacted legislation or to correct inadvertent errors. Specifically, the amendment:

1. Deletes a line that is removed by public law 1979, chapter 69;
2. Repeals a subsection that is repealed by public law 1979, chapter 69;
3. Adopts tax rate changes made in public law, 1979, chapter 69;
4. Adds a new sentence adopted in LD 1044;
5. Adds a new subchapter which was adopted in LD 1571;
6. Adopts LD 1396's approach to section 8701 of LD 1498; and
7. Adds a phrase inadvertently left out of LD 1498.

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SENATE AMENDMENT "A" to H.P. 1127, L.D. 1498

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(McBreairty)

NAME:

James McBreairty

COUNTY: Aroostook

Reproduced and distributed pursuant to Senate Rule 11-A.

June 8, 1979

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