

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-904)
109TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1603, L.D. 1714, RESOLVE,
Authorizing the State to Convey its Interest in the Public
Lots in the Town of Osborn to the Inhabitants of Osborn.

Amend the Resolve by striking out all of the Title and
inserting in its place the following:

'AN ACT to Provide for Local Management of Timber on Public
Lands in Organized Towns.'

Further amend the Resolve by striking out everything after
the Title and inserting in its place the following:

'Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 12 MRSA §557, sub-§3, as last amended by PL 1979,
c. 224, §1, is further amended by inserting at the end the
following new sentences:

With respect to stumpage income from timber located on public
reserved lands and leased pursuant to Title 30, section 4162,
subsection 4, paragraph L, 50% of the income shall be returned
by the Treasurer of the State to the lessee for its own purposes.
The director may approve the handling of income from sales or
permits for up to \$500 by the lessees. The lessees shall submit
a semiannual accounting of this income and payment for the
State's share of the income.

Sec. 2. 30 MRSA §4162, sub-§4, ¶L is enacted to read:

L. Lease to incorporated towns the right to manage timber
on all or part of the public reserved lands within the
boundaries of the town in accordance with multiple use

management plans, subject to the following conditions:

(1) Public reserved lands acquired through land exchanges may not be leased;

(2) A management plan submitted to the director by a town shall be approved or disapproved by the director within 60 days of submission, or the plan shall be deemed approved. The director shall conduct the same interagency reviews and apply the same standards in evaluating such management plans as are being applied in formulating the bureau's own management plans, as of the date of submittal;

(3) The leases shall be for a period not to exceed 15 years, and may be renewed if the director determines that the management plans have been implemented and substantially complied with in a professionally acceptable manner;

(4) The leases may be terminated by the director at any time, without adjustment or compensation due any lessee, if such termination is in the best interests of the State. The director shall give 30 days' written notice prior to this termination. The director shall hold a public hearing, if requested by the lessee within 30 days of such notice. The director shall issue written notice of a final decision within 30 days of the hearing. This decision may be appealed to ^{the} Superior Court;

(5) Public access to lands leased under this paragraph may not be unreasonably denied; and

(6) No lease may convey any interest in lands affected other than those permitted by this section.

Sec. 3. Effective date. The revenue sharing provisions of this Act shall be retroactive to January 1, 1980 for lease agreements entered into in the 1980 calendar year.'

Statement of Fact

The purpose of this amendment is to promote local involvement in and responsibility for timber management on public lots in incorporated towns. It allows the Director of the Bureau of Public Lands, under reasonable terms and conditions, to authorize timber management on public lots by incorporated towns.

It further provides that towns so authorized will receive 50% of the stumpage income from these public lots, rather than the 25% currently provided for in the law.

Reported by the Majority of the Committee on Energy and Natural Resources
Reproduced and distributed under the direction of the Clerk of the
House

3/13/80

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