

MAINE STATE LEGISLATURE

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L.D. 1550
(Filing No. H-318)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1069, L.D.
1550, Bill, "AN ACT Concerning the Forest Resources
of Maine."

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Amend the Bill in section 3 by striking out all
of that part designated "§4812-D." and inserting in
its place the following:

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'§4812-D. Shoreland zoning report to Legislature

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The Commissioner of Environmental Protection
shall biennially report to the Legislature on the im-
plementation and impact of local shoreland zoning or-
dinances. The report shall include:

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1. Department assistance. A description of the
assistance and supervision that the Department of En-
vironmental Protection has provided to the municipal-
ities in carrying out their shoreland zoning respon-
sibilities;

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2. Summary of violations. A summary of the
shoreland zoning violations investigated by municipal
code enforcement officers and related court actions;
and

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3. Recommendations. Where appropriate, any rec-
ommendations for legislation relating to shoreland
zoning.'

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Further amend the Bill in section 7 in that part
designated "§5103." in subsection 1, paragraph B in
the 3rd line (page 6, line 16 in L.D.) by striking
out the underlined figure "1987" and inserting in its
place the underlined figure '1988'

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Further amend the Bill in section 7 in that part

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1 designated "§5103." in subsection 1 by inserting af-
2 ter paragraph B the following:

3 'C. The United States Forest Service has con-
4 ducted several decennial forest surveys in this
5 State. The Department of Conservation is further
6 directed to supplement these surveys with
7 mid-cycle forest inventories in order to more ac-
8 curately assess the changes and trends occurring
9 in forests of this State. Initial emphasis should
10 be given to a mid-cycle survey in the spruce-fir
11 resource. The director shall delineate the area
12 of the forest resource for which updated invento-
13 ry information is critically needed and shall be
14 responsible for the conduct of the inventories.'

15 Further amend the Bill in section 7 in that part
16 designated "§5103." in subsection 2, paragraph C in
17 the last line (page 6, line 35 in L.D.) by striking
18 out the underlined figure "1987" and inserting in its
19 place the underlined figure '1988'

20 Further amend the Bill by striking out all of
21 sections 10 and 11 and inserting in their place the
22 following:

23 'Sec. 10 30 MRSA §4162, sub-§1, as repealed and
24 replaced by PL 1973, c. 628, §14, is amended to read:

25 1. Purpose. The Legislature finds that it is in
26 the public interest and for the general benefit of
27 the people of this State that title, possession and
28 the responsibility for the management of the public
29 reserved lands contained within the unincorporated
30 areas of the State be vested and established in an
31 agent of the State acting on behalf of all of the
32 people of the State. The Legislature further finds
33 that it is in the public interest that the public re-
34 served lands be managed under the principles of mul-
35 tiple use and to produce a sustained yield of
36 products and services and that such management should
37 be effected by the use of both prudent business prac-

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1 tices and the principles of sound planning. The Leg-
2 islature further finds that it is in the public in-
3 terest that the lands be managed to demonstrate exem-
4 plary land management practices, including silvicult-
5 tural wildlife and recreation management practices,
6 as a demonstration of state policies governing man-
7 agement of forested and related types of lands.

8 Sec. 11. 30 MRSA §4162, sub-§3, as amended by PL
9 1973, c. 788, §141, is further amended to read:

10 3. Responsibility. The Commissioner of the De-
11 partment of Conservation shall have the care, custo-
12 dy, control and the responsibility for the management
13 of the public reserved lands in the unincorporated
14 areas of the State. He shall, beginning promptly af-
15 ter October 3, 1973, prepare, revise from time to
16 time and maintain a comprehensive management plan for
17 the management of the public reserved lands in ac-
18 cordance with the guidelines set forth. The manage-
19 ment plan shall provide for a flexible and practical
20 approach to the coordinated management of the public
21 reserved lands. In preparing, revising and maintain-
22 ing such management plan, the Commissioner of the De-
23 partment of Conservation shall, to the extent practi-
24 cable, compile and maintain an adequate inventory of
25 the public reserved lands, including not only the
26 timber thereon but the other multiple use values for
27 which the public reserved lands are managed. In addi-
28 tion, all criteria listed in section 4161-A for the
29 location of public reserved lands shall be considered
30 in developing the management plan. The Commissioner
31 of the Department of Conservation shall be entitled
32 to the full cooperation of the Maine Mining Bureau,
33 Department of Inland Fisheries and Game, Bureau of
34 Parks and Recreation, Land Use Regulation Commission
35 and State Planning Office in compiling and maintain-
36 ing the inventory of the public reserved lands and
37 shall consult with those agencies as well as other
38 appropriate state agencies in the preparation and
39 maintenance of the comprehensive management plan for
40 the public reserved lands. This plan shall provide

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1 for the demonstration of appropriate management prac-
2 tices that will enhance the timber, wildlife, recre-
3 ation, economic and other values of the lands. As and
4 when prepared, all management of the public reserved
5 lands shall, to the extent practicable, be in accord-
6 ance with said management plan.

7 Sec. 12. Appropriation. The following funds are
8 appropriated from the General Fund to carry out the
9 purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
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11	<u>CONSERVATION, DEPARTMENT OF</u>	
12	Positions	(2)
13	Personal Services	\$ 56,638
14	All Other	68,362
15	Total	\$125,000
16	<u>ENVIRONMENTAL PROTECTION,</u>	
17	<u>DEPARTMENT OF</u>	
18	All Other	\$1,750

19 FISCAL NOTE

20 An appropriation has been added to provide the
21 resources needed to support the Forests for the Fu-
22 ture Program. This program also requires the funding
23 for the mid-cycle forest survey work which has been
24 proposed for the Part II Budget.'

25 STATEMENT OF FACT

26 The purpose of this amendment is to focus the re-
27 porting requirements for the Department of Environ-
28 mental Protection on the activities in the shoreland
29 zone.

1 The amendment also delays the reporting dates of
2 the Department of Conservation by one year and places
3 emphasis on the mid-cycle survey of spruce and fir.

4 The amendment replaces the Bureau of Public Lands
5 management planning procedure provided by the origi-
6 nal bill with a more general statement of purpose and
7 planning responsibilities.

8 The amendment removes the Bureau of Public Lands
9 allocation procedure. This topic has been addressed
10 by other legislation during this session.

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