MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

· Ville NO. 1387 Legislative Document House of Representatives, April 29, 1987 Submitted by the Department of Conservation pursuant to Joint Rule 24. Reference to the Committee on Energy and Natural Resources suggested and ordered printed. EDWIN H. PERT, Clerk Presented by Representative JACKSON of Harrison. Cosponsored by Senators DOW of Kennebec, EMERSON of Penobscot, and Representative SWAZEY of Bucksport. STATE OF MAINE IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN AN ACT to Clarify the Laws Relating to Forest Insect and Disease Control. Be it enacted by the People of the State of Maine follows: Sec. 1. 12 MRSA §8101, as enacted by PL 1979, c. 545, §3, is amended to read: §8101. Forest insect and disease control program l. <u>Powers and duties.</u> The Director of the Bureau of Forestry shall maintain sufficient resources, both personnel and technical information, within the limit

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A. Maintain a statewide surveillance system to detect and monitor insects and, diseases and

of funds available, so as to:

- abiotic agents, including air pollution and acid 2 deposition potentially injurious to the forest 3 resources of the State; 4 Provide information and technical advice and 5 assistance to individuals and other state 6 federal agencies on the identification and con-7 trol of forest insects and diseases; C. Conduct and supervise control programs ġ. forest diseases and insects where authorized; and 10. Assist in the enforcement of federal and 11 state quarantine laws relating to forest insects 12 and diseases. 13 Conduct applied research related to the management of insects, diseases and abiotic agents 14 15 potentially injurious to the forest resources of the State, including forest management strate-16 gies, insecticide and spray application technologies, integrated pest management techniques and 17 18 19 other issues pertinent to the purposes of this 20 chapter. The director shall maintain up-to-date information on the injurious impacts of insects, diseases and abiotic agents, including air pollu-21 22 23 tion and acid deposition on the forests of the 24 State; and
- F. Consult and cooperate with other agencies of the United States, other state governments, the federal and provincial governments of Canada and public and private landowners in the State on applied research, survey and management of forest pest problems.
 - Sec. 2. 12 MRSA §8301, 2nd ¶, as enacted by PI
 1979, c. 545, §3, is amended to read:

Emergencies, for the purposes of this chapter, shall be so considered when, in the opinion of the director, the infestation or disease is likely to kill or seriously injure trees in large numbers, or is so localized that immediate control will prevent a large possible outbreak, or is of recent foreign origin or-is-apt-to-create-a-public-nuisance.

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2	545, §3, is repealed.
3 4	<pre>Sec. 4. 12 MRSA §8430, sub-§2, as enacted by PL 1979, c. 737, §12, is amended to read:</pre>
5	2. Research on public lands. The commissioner,
6	director or other chief executive officer of any
7	state agency having jurisdiction over any public land
8	may make that land available on such terms and condi-
9 .	tions as he deems reasonable to any public or private
10	nonprofit entity engaged in spruce budworm control
11	research and related silvicultural control research.
12	The Forest-Insect-Manager director shall likewise en-
13	courage private landowners within the State to make
14	their lands available for the same purposes.
15	STATEMENT OF FACT

1 Sec. 3. 12 MRSA §8303, as enacted by PL 1979, c.

Director of the Maine Forest Service.

Section 1 of the bill clarifies the director's responsibility to conduct applied research on the management of injurious pests, to maintain up-to-date information on the impacts of forest pests, including air pollution and acid deposition, on the forests of

This bill clarifies laws pertaining to the forest insect and disease control responsibilities of the

the State and to consult and cooperate with other government agencies in the United States and Canada on applied research, survey and management of forest pest problems.

Sections 2 and 3 remove public nuisance pests from the definition of emergencies requiring state control action. State policies have changed since the Maine Revised Statutes, Title 12, sections 8301 and 8303 were enacted. The Maine Forest Service no longer runs control programs for insects or diseases which are merely nuisance pests.

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Section 4 removes a reference to the Forest Insect manager, a position which was eliminated. 3 lic Law 1985, chapter 664. 2183031887