

MAINE STATE LEGISLATURE

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L.D. 1892

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DATE: 9/5/96

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1390, L.D. 1892, "An Act to Implement the Compact for Maine's Forests"

Amend the amendment on page 2 by inserting before the first indented paragraph the following:

'Further amend the bill by inserting after section 2 the following:

'Sec. 3. 12 MRSA §8612, first ¶, as enacted by PL 1989, c. 555, §8, is amended to read:

The bureau shall employ by ~~1991~~, July 1, 1997 at least 16 field foresters ~~to be located in field offices.~~ One field forester must be assigned to each county.

Sec. 4. 12 MRSA §8612, sub-§4, as enacted by PL 1989, c. 555, §8, is amended to read:

4. Reporting requirements. The commissioner shall report ~~biannually beginning in 1991~~, to the joint standing committee of the Legislature having jurisdiction over ~~energy and natural resources~~ forestry matters on activities under the field forester program. This report, to be completed by February 1st of each odd-numbered year, shall ~~must~~ include a description of the types of assistance given to landowners and wood processors, a description of the activities of the field foresters and any recommendations for changes in the program.' '

Further amend the amendment on page 6 by inserting before the first indented paragraph the following:

ADD

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1390,
L.D. 1892

2 'Further amend the bill in section 9 in that part designated
"§8869-A." in subsection 10 by striking out all of paragraph F
4 (page 10, lines 7 to 10 in L.D.) and inserting in its place the
following:

6 'F. Municipal timber harvesting ordinances must be
8 consistent with generally accepted silvicultural practices.'

10 Further amend the amendment in section 10 in that part
12 designated "§8870-C." by striking out all of subsection 1 (page
9, lines 19 to 48 in amendment) and inserting in its place the
14 following:

16 '1. Board established. The Sustainable Forest Management
18 Audit Board, referred to in this subchapter as the "board,"
20 consists of 7 members representing a balance of interested
22 parties with relevant forest management and ecological expertise,
24 including participants in the program and the public, to develop
26 and oversee implementation of the program by the Maine Forest
28 Service. Appointments to the board are as follows:

24 A. Three members must be appointed by the Governor;

26 B. Two members must be appointed by the President of the
Senate; and

28 C. Two members must be appointed by the Speaker of the
30 House.

32 All appointments must be made no later than January 1, 1997.
34 Board members serve until the termination of the board. Any
36 vacancy on the board must be filled by the same appointing
authority as the initial appointment. Board members are not
entitled to compensation or reimbursement for expenses. The
Maine Forest Service shall provide staff assistance to the board.

38 This subsection is repealed 90 days after adjournment of the
40 Second Regular Session of the 120th Legislature.'

42 Further amend the amendment on page 17 by inserting before
the first indented paragraph the following:

44 'Sec. 20. Appropriation. The following funds are appropriated
46 from the General Fund to carry out the purposes of this Act.

1996-97

48 CONSERVATION, DEPARTMENT OF

R 4 B

2 **Forest Management, Utilization**
4 **and Marketing**

| | | |
|----|-------------------------------|------------------|
| 6 | Positions - Legislative Count | (6.0) |
| 6 | Personal Services | \$110,460 |
| 8 | All Other | 18,750 |
| 10 | Total | <u>\$129,210</u> |

12 Provides for the appropriation of funds for
14 6 additional Forester I positions and
related All Other costs for forestry
enforcement, education and assistance.'

16 **FISCAL NOTE**

18 **1996-97**

20 **APPROPRIATIONS/ALLOCATIONS**

| | | |
|----|--------------|-----------|
| 22 | General Fund | \$129,210 |
|----|--------------|-----------|

24
26 This amendment includes a General Fund appropriation of
28 \$129,210 in fiscal year 1996-97 for the Department of
Conservation to provide funds for 6 additional Forester I
positions for enforcement, education and assistance. The
30 estimated costs of the 6 additional positions in fiscal years
1997-98 and 1998-99 are approximately \$260,000 annually.

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34 **SUMMARY**

36 This amendment replaces language specifying that municipal
ordinances "may not be unreasonable, arbitrary or capricious"
38 with the requirement that municipal ordinances be "consistent
with generally accepted silvicultural practices."

40
42 The amendment also changes appointments to the Sustainable
Forest Management Audit Board. The Governor appoints 3 members
and the President of the Senate and the Speaker of the House each
44 appoint 2 members.

46 Public Law 1989, chapter 555, which enacted the laws
regulating forest practices, originally envisioned funding for 16
48 field forester positions. Only 8 of those positions are

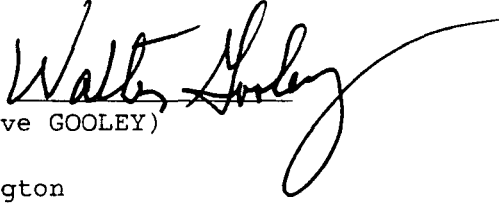
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2 currently funded in the Department of Conservation. This
amendment requires full implementation of the 16 positions, one
4 for each county.

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8 SPONSORED BY: 
(Representative GOOLEY)

10 TOWN: Farmington

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