

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

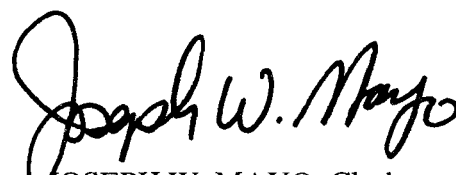
No. 626

H.P. 463

House of Representatives, January 26, 1999

**An Act to Require Wildlife Management and Uneven-aged Forest Stand
Management on Public Reserved Lands.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative SHOREY of Calais.
Cosponsored by Senator CASSIDY of Washington and
Representatives: BAGLEY of Machias, CARR of Lincoln, CROSS of Dover-Foxcroft,
DUGAY of Cherryfield, GILLIS of Danforth, GOODWIN of Pembroke, SOCTOMAH of the
Passamaquoddy Tribe, Senator: KIEFFER of Aroostook.

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

2
4 **Sec. 1. 12 MRSA §1845, sub-§3** is enacted to read:

6 3. Uneven-aged stand management. "Uneven-aged stand
8 management" means management of a forest stand to promote or
maintain 3 or more age classes of trees using group or
single-tree selection silviculture.

10 **Sec. 2. 12 MRSA §1847, sub-§2,** as enacted by PL 1997, c. 678,
12 §13, is amended to read:

14 **2. Management plans.** The director shall prepare, revise
16 from time to time and maintain a comprehensive management plan
18 for the management of the public reserved lands in accordance
20 with the guidelines in this subchapter. The plan must provide
22 for a flexible and practical approach to the coordinated
24 management of the public reserved lands. In preparing, revising
26 and maintaining such a management plan the director, to the
28 extent practicable, shall compile and maintain an adequate
30 inventory of the public reserved lands, including not only the
32 timber on those lands but also the other multiple use values for
34 which the public reserved lands are managed. In addition, the
36 director shall consider all criteria listed in section 1858 for
38 the location of public reserved lands in developing the
40 management plan. The director is entitled to the full
42 cooperation of the Natural Resources Information and Mapping
44 Center, the Department of Inland Fisheries and Wildlife, the
46 Maine Land Use Regulation Commission and the State Planning
48 Office in compiling and maintaining the inventory of the public
50 reserved lands. The director shall consult with those agencies
as well as other appropriate state agencies in the preparation
and maintenance of the comprehensive management plan for the
public reserved lands. The plan must provide for the
demonstration of appropriate management practices that will
enhance the timber, wildlife, recreation, economic and other
values of the lands. All management of the public reserved
lands, to the extent practicable, must be in accordance with this
management plan when prepared.

Within the context of the comprehensive management plan, the
commissioner, after adequate opportunity for public review and
comment, shall adopt a specific action plan for each unit of the
public reserved lands system. Each action plan must include
~~consideration--of--the--related--systems--of--silviculture--and~~
~~regeneration--of--forest--resources~~ be based on uneven-aged stand
management and must provide for outdoor recreation including
remote, undeveloped areas, timber, watershed protection, wildlife
and fish. The commissioner shall provide adequate opportunity
for public review and comment on any substantial revision of an

2 action plan. Management of the public reserved lands before the
3 action plans are completed must be in accordance with all other
4 provisions of this section.

6 **Sec. 3. 12 MRSA §1848, sub-§2**, as enacted by PL 1997, c. 678,
§13, is amended to read:

8 **2. Grant of permits.** The bureau may grant permits and
9 enter into contracts to cut timber, harvest grass and wild foods,
10 tap maple trees for sap and cultivate and harvest crops provided
11 that such permits and contract rights create revocable licenses
12 to the permittee or party to the contract and do not create any
13 real property interest in the public reserved lands. In any
14 permit or contract to cut timber, the bureau must specify that
15 the harvesting be done using selection cutting based on the
16 principles of uneven-aged stand management.

18 **Sec. 4. 12 MRSA §1852, sub-§1**, as enacted by PL 1997, c. 678,
19 §13, is amended to read:

20 **1. Transfer of management responsibility to other state
21 agencies.** Whenever a particular portion of the public reserved
22 lands is to be used, under the management plan under section
23 1847, subsection 2, for a dominant use that is within the
24 particular expertise of another agency of the State, the
25 commissioner, with the consent of the Governor and the state
26 agency involved, may transfer to that other state agency the
27 responsibility for the management of that particular portion of
28 the public reserved lands. When the dominant use for a
29 particular portion of the public reserved lands is timber
30 production, the commissioner shall transfer responsibility for
31 the management of that particular portion to the Bureau of
32 Forestry. The Bureau of Forestry shall manage portions of the
33 public reserved lands for which it is responsible using
34 uneven-aged stand management.

38 SUMMARY

40 This bill specifies that uneven-aged forest stand management
41 be used on the public reserved lands. When the dominant use on a
42 portion of public reserved lands is timber production, the
43 Commissioner of Conservation shall transfer management
44 responsibility for that portion to the Department of
Conservation, Bureau of Forestry.