

MAINE STATE LEGISLATURE

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M
A. S.

L.D. 1240

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DATE: 5-12-99

(Filing No. H-552)

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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 883, L.D. 1240, "Resolve,
Regarding Legislative Review of Chapter 20: Forest Regeneration
and Clearcutting Standards, a Major Substantive Rule of the
Department of Conservation"

24 Amend the resolve by striking out all of section 1 and
26 inserting in its place the following:

28 '**Sec. 1. Adoption. Resolved:** That final adoption of Chapter
30 20: Forest Regeneration and Clearcutting Standards, a
32 provisionally adopted major substantive rule of the Department of
34 Conservation, and submitted to the Legislature for review
36 pursuant to the Maine Administrative Procedure Act, is authorized
38 only if the rule is amended substantially in accordance with the
40 revised rule dated April 28, 1999 and presented by the
42 Commissioner of Conservation to the Joint Standing Committee on
44 Agriculture, Conservation and Forestry on that date. A copy of
that revised rule and the document prepared by the Maine Forest
Service and dated April 28, 1999 that presents a comparison of
the provisionally adopted rule dated January 5, 1999 and the
revised rule must be filed with the Secretary of State as part of
the written statement required under the Maine Revised Statutes,
Title 5, section 8052, subsection 5. The revised rule dated
April 28, 1999 includes the following changes to the
provisionally adopted rule.

- 46 1. It changes the clear-cut size categories.
- 48 2. It changes the required height of softwood for assessing
a stand of acceptable growing stock.
- 50 3. It changes stocking and regeneration standards from a

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 883, L.D. 1240

percent basis to a trees-per-acre basis.

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4. It exempts landowners with fewer than 100 acres total ownership from certain standards for clear-cuts.

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5. It changes the provisions for maintenance of separation zones.

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The Commissioner of Conservation is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.'

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Further amend the resolve by inserting at the end before the summary the following:

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FISCAL NOTE

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The Department of Conservation will incur some minor additional costs to implement certain rules pertaining to forest regeneration and clearcutting standards. These costs can be absorbed within the department's existing budgeted resources.'

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SUMMARY

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This amendment authorizes the Commissioner of Conservation to finally adopt Chapter 20: Forest Regeneration and Clearcutting Standards, a provisionally adopted major substantive rule of the Department of Conservation, provided that the changes indicated in the revised rule dated April 28, 1999 are incorporated. This amendment also adds a fiscal note to the resolve.

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