

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in Part A by inserting before section 1 the following:

‘**Sec. A-1. 12 MRSA §1807**, as enacted by PL 2015, c. 267, Pt. FF, §1, is amended to read:

§ 1807. Sustainable harvest level

Except as provided in this section, timber harvesting on public reserved lands and nonreserved public lands may not exceed in total an average of 160,000 cords per year over any 3-year period. If an independent timber inventory conducted after July 1, 2015 establishes a different sustainable harvest, the department, upon recommendation from staff within the bureau based on opinions of silvicultural experts in public reserved lands management and data from the most recent physical forest inventory, may adopt by rule a different harvesting level consistent with that the most recent physical forest inventory, as long as the harvesting level is also consistent with multiple use objectives, existing management plans and the department's most recent integrated resource policy for public reserved and nonreserved lands, state parks and state historic sites. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved lands matters.

Sec. A-2. 12 MRSA §1808 is enacted to read:

§ 1808. Forest inventory timeline established

The department shall conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands by March 15, 2017 and every 5 years thereafter.’

Amend the bill in Part A by striking out all of section 2.

Amend the bill in Part A by striking out all of section 5 (page 1, lines 30 to 34 in L.D.) and inserting the following:

‘**Sec. A-5. 12 MRSA §1853, sub-§1, ¶H** is enacted to read:

H. A breakdown of growth based on the most recent physical forest inventory and of harvest in each region of any public reserved lands units established by the bureau, identifying any harvesting that occurred during the preceding fiscal year in individual management units where harvest exceeds annual growth.’

Amend the bill in Part A in section 6 in §1859 by inserting before subsection 1 the following:

‘**1. Legislative findings.** Whereas expenditures from the Public Reserved Lands Management Fund established under section 1849, subsection 2 must be consistent with the public trust limitations embodied in the Constitution of Maine, Article X; and the Constitution of Maine, Article X designates the public lots for the benefit of the schools in this State; and educating new loggers in the State will help to ensure that the public reserved lands continue to be managed to demonstrate exemplary land

management practices, the Legislature declares that authorizing grants under this section is consistent with the Legislature's responsibility as trustee.'

Amend the bill in Part A in section 6 in §1859 by renumbering any nonconsecutive subsection number to read consecutively.

Amend the bill in Part A by inserting after section 6 the following:

'Sec. A-7. Identification of areas of insufficient access to public reserved lands.

The Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall identify areas where the State does not currently have deeded access to the State's public reserved lands. The bureau shall direct regional foresters in the bureau who are familiar with the physical landscape of the identified areas and with the landowners involved to develop goals and priorities regarding increased access to the State's public reserved lands, and the bureau shall submit their findings to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters by March 1, 2018 in the annual report dealing with public reserved lands submitted pursuant to the Maine Revised Statutes, Title 12, section 1853.

Sec. A-8. Statewide priority lists of recreational infrastructure projects and Americans with Disabilities Act projects.

The Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall develop a statewide priority list of recreational infrastructure projects for the State's public reserved lands and a statewide priority list of projects under the federal Americans with Disabilities Act of 1990 for the State's public reserved lands. The bureau shall present the priority lists to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters by March 1, 2018 in the annual report dealing with public reserved lands submitted pursuant to the Maine Revised Statutes, Title 12, section 1853. After receipt of the lists, the joint standing committee of the Legislature having jurisdiction over public reserved lands matters shall hold a meeting for the purpose of obtaining public input on the statewide priority lists.

Sec. A-9. Review of bid process. The Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall review its bid process for timber harvesting and road construction projects, including any liability concerns related to the bid process. The bureau shall report to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters with any recommended changes to the bid process by March 15, 2017.

Sec. A-10. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Land Management and Planning Z239

Initiative: Provides an allocation for educational grants to programs related to logging at public secondary or public postsecondary educational institutions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$300,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$300,000
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Land Management and Planning Z239

Initiative: Provides an allocation for STA-CAP costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$3,250
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$3,250

Land Management and Planning Z239

Initiative: Provides an allocation to develop infrastructure projects to comply with the federal Americans with Disabilities Act of 1990 for the State's public reserved lands.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$50,000

Land Management and Planning Z239

Initiative: Provides an allocation to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$65,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$65,000

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$0	\$418,250
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$418,250

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment implements additional recommendations of the Commission To Study the Public Reserved Lands Management Fund that were not included in the bill. These recommendations include:

1. Directing the Department of Agriculture, Conservation and Forestry to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands by March 15, 2017 and every 5 years thereafter;

2. Establishing additional guidelines that must be followed by the Department of Agriculture, Conservation and Forestry before it may adopt any rule that would make changes to the annual allowable harvesting level for public reserved lands;

3. Directing the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to identify areas where the State does not currently have deeded access to the State's public reserved lands. This amendment also requires the bureau to direct regional foresters in the bureau who are familiar with the physical landscape and landowners to develop goals and priorities regarding increased access to the State's public reserved lands and requires the bureau to submit their findings to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters by March 1, 2018;

4. Directing the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to develop a statewide priority list of recreational infrastructure projects for the State's public reserved lands and a statewide priority list of projects under the federal Americans with Disabilities Act of 1990 for the State's public reserved lands. The priority lists must be presented to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters by March 1, 2018. After receipt of the lists, the joint standing committee is required to hold a meeting for the purpose of obtaining public input related to the lists; and

5. Directing the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to review its bid process for timber harvesting and road construction projects, including any liability concerns related to the bid process. The bureau is directed to report to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters with any recommended changes to the bid process by March 15, 2017.

In addition, this amendment strikes the section of the bill that provides the joint standing committee of the Legislature having jurisdiction over public reserved lands matters the authority to approve all expenditures from the Public Reserved Lands Management Fund.

This amendment includes a legislative findings section that addresses the consistency of the educational grant program's providing one-time grants to eligible public secondary and postsecondary institutions for educational programs related to logging with the permitted uses of the Public Reserved Lands Management Fund and finds that the Legislature, in permitting such transfers, is acting pursuant to their authority as trustee of the State's public reserved lands.

Finally, this amendment adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)