

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 the emergency preamble by inserting after the 4th indented paragraph the following:

‘**Whereas**, the transportation of firewood has been demonstrated to hasten the spread of these pests beyond the normal biological dispersal rate; and’

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

‘**Sec. 1. 12 MRSA §8305**, as enacted by PL 1979, c. 545, §3, is amended to read:

### **§ 8305. Shipment prohibited**

The director may prohibit, prevent or regulate the entry into or movement within the State, ~~from any part thereof to any other part~~, of any plants of the genus *Ribes* or other nursery or wilding plants, stock or parts of plants ~~which~~ or wood or wood products that may cause the introduction or spread of a dangerous forest insect or disease. The director may issue ~~the necessary~~ orders, permits and notices necessary to carry out this section ~~which shall not be considered to~~. Orders, permits and notices issued under this section do not require or constitute an adjudicatory proceeding under the Maine Administrative Procedure Act, ~~Title 5, chapter 375~~.

**Sec. 2. Transportation of firewood; rules.** The Director of the Bureau of Forestry within the Department of Conservation shall seek funding from private and public sources to supplement and secure federal funding sufficient to implement restrictions on the transportation of firewood into the State. Upon securing adequate funding, the director shall adopt rules under the Maine Revised Statutes, Title 12, section 8306 to restrict the importation of firewood into the State to protect the State's forests from introduction of the emerald ash borer and the Asian longhorned beetle. The rules may allow the transportation of kiln-dried wood and include other exceptions the director determines do not threaten the State's forests.

**Sec. 3. Directives to the Department of Conservation.** Within the Department of Conservation, the Director of the Bureau of Forestry shall work closely with the Director of the Bureau of Parks and Lands to ensure that the transportation of firewood into state parks and onto other lands managed by the Bureau of Parks and Lands is restricted to protect the State's forests from introduction of the emerald ash borer and the Asian longhorned beetle. Within existing resources, the Director of the Bureau of Forestry shall conduct surveillance to detect the presence of the emerald ash borer and the Asian longhorned beetle.’

## **SUMMARY**

This amendment directs the Director of the Bureau of Forestry within the Department of Conservation to seek funding sufficient to implement restrictions on the transportation of firewood into the State. It requires the director to use existing rule-making authority to establish restrictions on the transportation of firewood into the State as soon as adequate funding to implement the rule is secured. It removes the definition of "firewood" in the bill, allowing a definition to be established by rule.

This amendment revises the directive to the Bureau of Forestry and the Bureau of Parks and Lands within the Department of Conservation to work closely on restricting firewood transported into state parks and other lands managed by the Bureau of Parks and Lands to clarify that this directive is not dependent on rules being adopted under the Maine Revised Statutes, Title 12, section 8306.

It also directs the Director of the Bureau of Forestry to prohibit, prevent or regulate the introduction of wood and wood products into or within the State.

**FISCAL NOTE REQUIRED**  
**(See attached)**