

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1990

S.P. 765

In Senate, December 18, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 18, 1989. Referred to the Committee on Energy and Natural Resources and 1,600 ordered printed pursuant to Joint Rule 14.

Handwritten signature of Joy J. O'Brien in cursive.

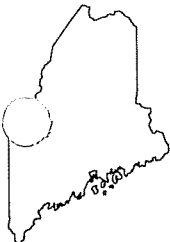
JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act Regarding Resource Protection Zones within Shoreland Zoning Areas.



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

2
38 MRSA §439-A, sub-§5, as amended by PL 1989, c. 403, §8,
4 is further amended to read:

6 5. **Timber harvesting.** Municipal ordinances shall regulate
7 timber harvesting within the shoreland area. Notwithstanding any
8 provision ~~in a provision~~ in a local ordinance to the contrary,
9 timber harvesting activities shall be no less restrictive than
10 the following:

12 A. Selective cutting of no more than 40% of the trees 4
13 inches or more in diameter, measured at 4 1/2 feet above
14 ground level, in any 10-year period, provided that a
15 well-distributed stand of trees and other natural vegetation
16 remains; and

18 B. Within a shoreland area zoned for resource protection
19 abutting a great pond there shall be no timber harvesting
20 within the strip of land extending 75 feet inland from the
21 normal high-water line except to remove safety hazards;

22 C. Timber harvesting is limited to commercial harvesting;
24 and

26 D. No building is allowed on harvested areas for a period
28 of 5 years.

29 The board may adopt more restrictive guidelines consistent with
30 the purposes of this subchapter, which shall then be incorporated
31 into local ordinances.

32
34
36 **STATEMENT OF FACT**

38 The purpose of this bill is to further restrict the cutting
39 of timber in shoreland zoning areas. This bill allows only
40 commercial harvesting of timber and prohibits building on a
41 harvested area for a period of 5 years.
42