

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

(Filing No. H-523)

COMMITTEE AMENDMENT "A" to H.P. 1228, L.D. 1754, Bill,  
"AN ACT to Establish the Citizen Woodcutting Act."

Amend said Bill by striking out all of the title and inserting in place thereof the following: "AN ACT to Make Available Wood Fuel for Low-income Citizens."

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'12 MRSA c. 218 is enacted to read:

CHAPTER 218

THE CITIZEN WOODCUTTING ACT

§ 1801. Findings

The Legislature finds and declares that there exists a shortage of fuel in the State of Maine and that this shortage works a hardship upon citizens with low incomes. The Legislature further finds and declares that an adequate supply of fuel for home heating purposes is essential for life in Maine. The Legislature further finds and declares that there exists on the public lands in the custody of various agencies of the State of Maine supplies of wood suitable for use as fuel by low-income citizens.

§1802. Authorization

The Commissioner of the Department of Conservation is authorized and directed to coordinate the development of plans for the production of fuel wood on the public lands within the jurisdiction of the department. The commissioner is further authorized to enter into agreements with governmental

agencies responsible for public health and welfare to  
coordinate plans for the delivery and distribution of such  
wood.

§1803. Responsibility

Any governmental agency responsible for public health  
or welfare entering into an agreement with the Department  
of Conservation, or other state agency with the custody of  
woodlands, shall be responsible for the cutting, delivery  
and distribution of such wood unless an agreement in  
writing signed by the head of the supplier agency provides  
otherwise. All wood distributed under this chapter shall be  
supplied to persons with a bona fide need therefor consistent  
with section 1801.

§1804. Permits

The head of such agency of the State of Maine with  
custody of woodlands may issue permits or enter into  
contracts for the cutting and carrying away of wood suitable  
for use as fuel wood upon such terms and conditions and for  
such consideration as he deems reasonable, provided, however,  
that:

- A. Such permits or contracts shall be issued only to  
governmental agencies responsible for public health  
or welfare;
- B. Such permits or contracts shall be for the harvesting  
of wood in locations, at times, and in a manner consistent  
with the woodlands management plans of such agency;

C. Any harvesting operations shall be under the supervision of an employee of the agency with the custody of such woodland;

D. Any permit or contract shall create in the permittee or party to the contract no interest greater than a mere revocable license and shall not create any real property interest in state-owned lands.'

Statement of Fact

The purpose of this amendment is to provide a means for utilizing some of the wood on public lands suitable for fuel to meet the energy needs of low-income people in Maine. Since most forestland is in the jurisdiction of the Department of Conservation, the commissioner is directed to do the bulk of the planning and coordination. It is anticipated that the Office of Economic Opportunity will be the principal agency for delivery and distribution of fuel wood, but the language is broad enough to allow other health and welfare agencies to also contract for fuel wood.

Reported by the Committee on Natural Resources.

Reproduced and distributed under the direction of the Clerk of the House:  
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