

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1511

S. P. 433

Referred to Committee on Natural Resources and ordered printed.

In Senate, April 12, 1977

Sent down for concurrence

MAY M. ROSS, Secretary

Presented by Senator Pray of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Regulate Clear Cutting of Timber.

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

30 MRSA c. 226-A is enacted to read:

CHAPTER 226-A

CLEAR CUTTING

§ 3731. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. Clear cutting. "Clear cutting" means the cutting or clearing of any area, so that all trees have been removed or knocked down with harvesting equipment, in both mechanical harvesting operations and conventional harvesting operations, to the extent of making a clearing in excess of 2,000 square feet. This definition shall not include areas which have been cleared for the building of roads.

2. Director. "Director" means the Director of the Bureau of Forestry.

§ 3732. Clear cutting prohibited.

No person shall conduct or authorize any clear cutting to be done anywhere within the State, unless that person shall have first obtained from the director, or his designee, a permit authorizing that clear cutting. The director shall make all final decisions for clear cutting operations within the State.

§ 3733. Regulations

The director shall make all rules and regulations necessary to carry out the purposes of this chapter and shall establish standards to regulate clear cutting within the State. Before any standards are established to regulate clear cutting pursuant to this chapter, the director shall cause a public hearing to be held to gather information and data on standards to regulate clear cutting. Any hearing shall be advertised in 3 newspapers of general circulation throughout the State no less than 2 weeks prior to the hearing. Any hearing shall be open to the public.

§ 3734. Penalties

A violation of any provision of this chapter, or any rules or regulations promulgated pursuant to this chapter, shall be a civil violation for which a forfeiture of not less than \$100 nor more than \$1,000 may be adjudged.

STATEMENT OF FACT

This bill would prohibit clear cutting within the State without a permit to be obtained from the Director of the Bureau of Forestry. The director would also be authorized, after holding public hearings, to establish regulations and standards to control clear cutting.