

MAINE STATE LEGISLATURE

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L.D. 2404

(Filing No. H-704)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
11TH LEGISLATURE
SECOND REGULAR SESSION

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HOUSE AMENDMENT "D" to S.P. 889, L.D. 2404,
Bill, "AN ACT to Revise the Wood Measurement Law."

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Amend the bill in section 7, in that part designated "§2364-A." in subsection 3, by striking out all of the last underlined sentence and inserting in its place the following:

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'If, based upon a complaint involving wood that is taken outside the State, the state sealer, after investigation, has reason to believe that there has been inaccurate measurement of the wood, that the measurement of the wood was inaccurately or incompletely represented on the measurement tally sheet or that a measurement tally sheet for the wood was not promptly provided to the person providing the service, then, except in a case of inadvertent error, the state sealer shall require, for a period of not less than one year, that the person requiring the service measure and provide the person providing the service a completed measurement tally sheet for wood that is taken outside the State.'

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Further amend the bill by adding at the end, before the statement of fact, the following:

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'Sec. 16. Severability. If any provision of this Act is declared unconstitutional, or the applicability of the Act to any person or circumstance is held invalid, the constitutionality of the Act and the applicability of the Act to other persons and circumstances shall not be affected thereby.'

HOUSE AMENDMENT "D" to S.P. 889, L.D. 2404

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STATEMENT OF FACT

2 Presently, persons who are paid piece rate for
3 harvesting wood have no meaningful recourse for vio-
4 lations of the wood measurement law when the wood is
5 not measured until after it is taken outside the
6 State. This amendment requires the person requiring
7 the service who has been found in violation of the
8 wood measurement law to thereafter, and for as long
9 as the state sealer deems appropriate, complete the
10 measurement tally and provide it to the person pro-
11 viding the service before the wood is taken outside
12 the State. In light of the Department of Agricul-
13 ture, Food and Rural Resources' experience in admin-
14 istering the wood measurement law, this requirement
15 is necessary to maintain verifiable measurement stan-
16 dards.

17 This amendment also adds a severability clause.

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Filed by Re. Jacques of Waterville
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