

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1062

H.P. 790 House of Representatives, April 1, 1987  
Reference to the Committee on Energy and Natural  
Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative RIDLEY of Shapleigh.

Cosponsored by Representatives JACQUES of Waterville,  
DEXTER of Kingfield and Senator USHER of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Relating to Owners and Operators of  
Biomass Burners.

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

Sec. 1. 12 MRSa §8603, as amended by PL 1981, c.  
34, is further amended to read:

§8603. Annual timber-cut report

Owners or operators of all primary wood-using  
sawmills, biomass energy facilities, as defined in  
section 8861, and primary processors of veneer wood,  
cordwood, boltwood, pulpwood, posts, poles, piling,  
fence rails and commercial processors of fuelwood who  
annually process more than 20 cords, except for do-  
mestic use and not for sale or conversion into

1 products for sale, shall render an annual report to  
2 the director during the month of January of each year  
3 of the amount of softwoods and hardwoods processed by  
4 species within the State by them during the preceding  
5 calendar year and showing the county or counties from  
6 which the wood was taken. Forms for this report  
7 shall be provided by the director. Information con-  
8 tained in the reports shall not be made public by  
9 reference to individuals.

10 Sec. 2. 12 MRSA c. 805, sub-c. III, Art. III is  
11 enacted to read:

12 ARTICLE 3

13 FORESTRY SERVICES FOR BIOMASS FUEL HARVESTING

14 §8860. Purpose

15 The purpose of this article is to ensure that all  
16 biomass fuel harvesting operations are conducted in  
17 accordance with accepted principles of professional  
18 forestry.

19 §8861. Definitions

20 As used in this article, unless the context indi-  
21 cates otherwise, the following terms have the follow-  
22 ing meanings.

23 1. Biomass energy facility. "Biomass energy fa-  
24 ility" means any fuel burning equipment with a heat  
25 input capacity of 3,000,000 British Thermal Units per  
26 hour that is designed to be fueled in whole or pre-  
27 dominantly with harvested wood or forest harvest res-  
28 idues.

29 2. Harvest and regeneration plan. "Harvest and  
30 regeneration plan" means a written document that de-  
31 fines the specific cutting practices, erosion control  
32 measures, road layout and other measures to be em-  
33 ployed in the proposed harvest operation. The plan  
34 shall include provisions for natural or artificial  
35 regeneration of the forest stand unless the site is  
36 being cleared for development. The plan shall be  
37 prepared in accordance with accepted principles of  
38 professional forestry.

1     §8862. Forest harvest plans required

2             The owner or operator of a biomass energy facili-  
3 ty shall not purchase harvested wood fuel unless the  
4 wood fuel has been harvested in accordance with a  
5 harvest and regeneration plan for the harvest site  
6 approved by an independent, registered professional  
7 forester or a registered professional forester in the  
8 employ of the owner or operator of the biomass energy  
9 facility. The harvester shall conduct the harvest  
10 operation according to the terms of the plan. The  
11 owner or operator of a biomass energy facility shall  
12 file a copy of the harvest plan with the Director of  
13 the Maine Forest Service within 30 days of the pur-  
14 chase of the wood fuel.

15                                     STATEMENT OF FACT

16             The purpose of this bill is to guarantee that the  
17 principles of sound, professional forestry are ex-  
18 tended to biomass fuel harvesting operations. The  
19 bill would also ensure that the Maine Forest Service  
20 is aware of the level of biomass fuel harvesting  
21 through the existing timber-cut reporting system.

22             This bill requires operators or owners of biomass  
23 boilers to report each January the amount of wood an-  
24 nually consumed by their operations. The bill also  
25 establishes a requirement that biomass fuel harvest-  
26 ing operations be conducted pursuant to a harvest and  
27 regeneration plan approved by a registered profes-  
28 sional forester. The terms "biomass energy facility"  
29 and "harvest and regeneration plan" are defined.

30             No additional state personnel are required and no  
31 additional state costs are anticipated.

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