

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to H.P. 1657, L.D. 2286, Bill, "An Act to Implement the Recommendations of the Majority of the Joint Standing Committee on Agriculture, Conservation and Forestry Regarding Enhancing Forest Resource Assessment"

Amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 12 MRSA §8868, sub-§1, as enacted by PL 1989, c. 555, §10, is repealed and the following enacted in its place:

1. Clear-cut. "Clear-cut" means timber harvesting on a forested site greater than one acre in size that results in a residual stand that does not meet either of the following conditions:

A. The average residual basal area of acceptable growing stock trees 4.5 inches and over in diameter measured at 4 1/2 feet above the ground is 45 square feet per acre or more; or

B. The site has a well-distributed stand of acceptable growing stock trees of at least 5 feet in height that meets the regeneration standards adopted by the commissioner.'

Further amend the bill by inserting after section 3 the following:

'Sec. 4. 12 MRSA §8868, sub-§§1-A and 1-B are enacted to read:

1-A. Affiliated interest. "Affiliated interest" means:

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2 A. Any corporate or other legal entity in which a landowner
3 possesses a controlling ownership interest; or

4
5 B. Any corporate or other legal entity that possesses a
6 controlling ownership interest in a landowner. Rules
7 adopted by the commissioner must define what constitutes a
8 controlling ownership interest in a landowner.

9
10 1-B. Forest lands owned by a landowner. "Forest lands
11 owned by a landowner" means any forest land in which a landowner
12 or an affiliated interest possesses a dominant ownership interest
13 with respect to timber harvesting. Rules adopted by the
14 commissioner must describe what constitutes a dominant ownership
15 interest.'

16
17 Further amend the bill in section 4 by striking out all of
18 the first line (page 1, line 45 in L.D.) and inserting in its
19 place the following:

20 'Sec. 5. 12 MRSA §8868, sub-§§2-A and 2-B are enacted to read:

21
22 2-A. Landowner. "Landowner" means a person, firm,
23 association, organization, partnership, cotenant, joint tenant,
24 trust, company, corporation, state agency or other legal entity
25 or entities that possess a dominant ownership interest in land
26 with respect to timber harvesting. Rules adopted by the
27 commissioner must describe what constitutes a dominant ownership
28 interest.'

29
30 Further amend the bill in section 4 in the 2nd line (page 1,
31 line 47 in L.D.) by striking out the following: "2-A." and
32 inserting in its place the following: '2-B.'

33
34 Further amend the bill by striking out all of section 7.

35
36 Further amend the bill by inserting after section 8 the
37 following:

38
39 'Sec. 9. 12 MRSA §8869, sub-§§13 to 16 are enacted to read:

40
41 13. Maximum area clear-cut limits; forest land ownerships
42 equal to or greater than 100,000 acres. When forest lands owned
43 by a landowner total 100,000 acres or more statewide, not more
44 than one quarter of one percent of those forest lands may be
45 clear-cut in any calendar year.

46
47 14. Maximum individual clear-cut size. An individual
48 clear-cut may not exceed 75 acres in total area.

