

MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "C" 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 inserting after section 3 the following:

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

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

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

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

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

'Sec. 4. 12 MRSA §8868, sub-§2-A and 2-B are enacted to read:

2-A. Landowner. "Landowner" means a person, firm, association, organization, partnership, cotenant, joint tenant, trust, company, corporation, state agency or other legal entity

2 or entities that possess a dominant ownership interest in land
3 with respect to timber harvesting. Rules adopted by the
4 commissioner must describe what constitutes a dominant ownership
5 interest.'

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

10 Further amend the bill by inserting after section 8 the
11 following:

12 '**Sec. 9. 12 MRSA §8869, sub-§§13 and 14** are enacted to read:

13 **13. Science-based stocking standards.** A landowner who owns
14 or manages or who together with an affiliated interest owns or
15 manages more than 100,000 acres must ensure that timber
16 harvesting on that landowner's lands leaves adequate residual
17 stocking. Adequate residual stocking standards for
18 nonregeneration harvests of commercial forest products by that
19 landowner must meet stocking standards adopted by the
20 commissioner.

21 **14. Permit required; variance.** A landowner subject to the
22 provisions of subsection 13 must obtain a permit from the Maine
23 Forest Service prior to undertaking harvesting activities that
24 are planned to or may reasonably be expected to result in
25 harvesting activities other than clearcutting, a residual
26 stocking level that is less than that required by the Maine
27 Forest Service or less than the applicable United States Forest
28 Services C line.

29 The commissioner shall establish, by rule, guidelines for
30 permitting activities that exceed the standards set forth under
31 this subsection. In developing those guidelines, the
32 commissioner shall consider the unique characteristics of a site
33 and any related economic hardship that would result from
34 noncompliance with these standards.'

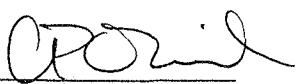
35 Further amend the bill by relettering or renumbering any
36 nonconsecutive Part letter or section number to read
37 consecutively.

46 **SUMMARY**

47 The amendment proposes changes relating to standards for
48 residual stocking.

2 With respect to stocking standards and harvest levels, the
4 amendment requires that all harvests by large landowners leave
6 adequate residual stocking. A permit from the Maine Forest
8 Service is required before a large landowner may undertake any
the standards adopted by the commissioner.

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SPONSORED BY: 
(Representative O'NEIL)

TOWN: Saco

HOUSE AMENDMENT