

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION

SENATE 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 in section 7 by striking out all of the first line (page 2, line 14 in L.D.) and inserting in its place the following:

'Sec. 7. 12 MRSA §8869, sub-§§2-A and 2-B are enacted to read:'

Further amend the bill in section 7 by inserting after subsection 2-A the following:

'2-B. Maximum individual clear-cut size; natural disturbance exemption. For a landowner who owns more than 500 contiguous acres, an individual clear-cut may not exceed 75 acres in total area. Timber harvesting is exempt from the restriction on clear-cut size under this subsection upon issuance of a natural disturbance exemption by the Commissioner of Conservation when necessary to allow the salvage or presalvage of timber for which there is a high probability of substantial loss or damage from severe natural disturbances, which include, but are not limited to, fire, insect infestation, disease, ice and wind. A landowner may apply for, or the Commissioner of Conservation may declare in the absence of a landowner application, a natural disturbance exemption. If the Commissioner of Conservation declares a natural disturbance exemption, the Commissioner of Conservation shall identify the geographic areas to which the exemption applies. Both declarations and applications for

2 exemptions must include a description of the natural disturbance,
4 the areas affected by the natural disturbance, the species or
6 stand types affected, the duration of the exemption and the
8 specific activities regulated under this section to which the
10 exemption will apply. The application is automatically granted
12 if not denied within 45 days of the department's receipt of the
14 application by certified mail, return receipt requested. The
16 Commissioner of Conservation shall grant an exemption if, based
on the best available scientific information, the Commissioner of
Conservation finds that there is a high probability of
substantial loss or damage from severe natural disturbance and
that the proposed harvesting can not be reasonably undertaken in
conformity with this subsection. If the Commissioner of
Conservation denies the exemption, the Commissioner of
Conservation shall state the reasons in writing and describe what
conditions would allow an exemption to be granted.'

18 Further amend the bill by inserting after section 8 the
20 following:

22 'Sec. 9. 12 MRSA §8869, sub-§13 is enacted to read:

24 13. Forest practices seminars. The Department of
26 Conservation shall hold 7 seminars per year at geographically
28 diverse locations throughout the State as determined by the
Commissioner of Conservation, to educate landowners, harvesters
and the general public regarding forest practices.'

30 Further amend the bill by relettering or renumbering any
32 nonconsecutive Part letter or section number to read
consecutively.

34 FISCAL NOTE

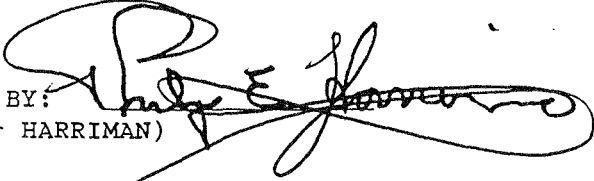
36 The Department of Conservation will incur some minor
38 additional costs to administer several regulatory requirements
40 pertaining to clear-cutting and to hold, on a yearly basis, 7
42 seminars dealing with forest practices in different locations
across the State. These costs can be absorbed within the
department's existing budgeted resources.

44 SUMMARY

46 This amendment provides that for a landowner who owns more
48 than 500 contiguous acres, an individual clear-cut may not exceed
75 acres in total area. It also provides that timber harvesting
is exempt from this restriction on clear-cut size upon issuance

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2 of a natural disturbance exemption by the Commissioner of
3 Conservation, as necessary to allow the salvage or presalvage of
4 timber for which there is a high probability of substantial loss
5 or damage from severe natural disturbances, which, include, but
6 are not limited to, fire, insect infestation, disease, ice and
7 wind. It requires the Department of Conservation to hold 7
8 seminars per year at geographically diverse locations throughout
9 the State as determined by the Commissioner of Conservation, to
10 educate landowners, harvesters and the general public regarding
11 forest practices.

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13
14 SPONSORED BY: 
15 (Senator HARRIMAN)

16 COUNTY: Cumberland
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