

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 976

H.P. 709

House of Representatives, February 4, 1999

**An Act to Reduce the Amount of Paperwork Required for Transactions
Involving the Sale of Wood.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TRAHAN of Waldoboro.
Cosponsored by Representatives: FOSTER of Gray, GILLIS of Danforth, JONES of
Pittsfield, MACK of Standish, MENDROS of Lewiston, WESTON of Montville, Senator:
BENNETT of Oxford.

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

2
4 **Sec. 1. 10 MRSA §2361-A, sub-§10-A**, as enacted by PL 1997, c.
648, §1, is repealed.

6 **Sec. 2. 10 MRSA §2364-A, sub-§2, ¶F**, as enacted by PL 1989, c.
102, is amended to read:

8
10 F. In the sale of wood, the measurement tally sheet
12 recording the first measurement ~~shall~~ must include the name
14 of the landowner from whom the stumpage was purchased and
16 for wood harvested in the State, the number on the harvest
18 notification form filed with the Bureau of Forestry in
20 accordance with Title 12, section 8883. The tally sheet
22 also ~~shall~~ must include the name or names of other parties
24 involved in this original transaction.

18 **Sec. 3. 10 MRSA §2364-A, sub-§2, ¶G**, as enacted by PL 1989, c.
20 760, is amended to read:

22 G. A person buying stumpage from a landowner shall provide
24 a stumpage sheet or a copy of the measurement tally sheet to
26 the landowner for every truckload sold. The sheet must
28 include:

26 (1) The name of the landowner;

28 (2) The name of the contractor;

30 (3) The name of the hauler;

32 (4) A description of the product;

34 (5) The date; and

36 (6) The destination of the truckload; and

38 (7) For wood harvested in the State, the number on the
40 harvest notification form filed with the Bureau of
42 Forestry in accordance with Title 12, section 8883.

42 This sheet must be provided to the landowner when the person
44 buying the stumpage pays the landowner.

44 **Sec. 4. 10 MRSA §2364-A, sub-§3**, as enacted by PL 1983, c.
46 804, §7, is amended to read:

48 **3. Measurement tally sheet.** When payment is made for
50 services, the person providing the service shall promptly receive
a copy of the tally sheet setting forth the total measure of the

2 wood, ~~identifying~~; the name or names of the person or persons
3 providing the service; the location from which the wood was
4 hauled; for wood harvested in the State, the number on the
5 harvest notification form filed with the Bureau of Forestry in
6 accordance with Title 12, section 8883; and the date the
7 measurements were made. If, based upon a complaint involving
8 wood that is taken outside the State, the state scaler, after
9 investigation, has reason to believe that there has been
10 inaccurate measurement of the wood, that the measurement of the
11 wood was inaccurately or incompletely represented on the
12 measurement tally sheet or that a measurement tally sheet for the
13 wood was not promptly provided to the person providing the
14 service, then, except in a case of inadvertent error, the state
15 scaler shall require, for a period of not less than one year,
16 that the person requiring the service measure and provide the
17 person providing the service a completed measurement tally sheet
18 for wood that is taken outside the State.

19 **Sec. 5. 10 MRSA §2364-B**, as enacted by PL 1997, c. 648, §2,
20 is repealed.

21 **Sec. 6. 10 MRSA §2364-C** is enacted to read:

22 **§2364-C. Transportation of wood**

23 **1. Information required.** Upon delivery of a truckload of
24 wood, the truck driver shall provide the wood scaler or other
25 person accepting delivery with the town of origin for the wood
26 and, for wood harvested in the State, the number on the harvest
27 notification form filed with the Bureau of Forestry in accordance
28 with Title 12, section 8883. When a tally sheet or other record
29 of measurement is required under section 2364-A, subsection 2,
30 the harvest notification number must be recorded on the record of
31 measurement.
32
33
34

35 **2. Enforcement; violations.** Upon request, a truck driver
36 shall provide any employee of the State charged with enforcing
37 the provisions of this subchapter with the town of origin for a
38 truckload of wood and, for wood harvested in the State, the
39 number on the harvest notification form filed with the Bureau of
40 Forestry in accordance with Title 12, section 8883. Upon
41 request, a wood scaler shall present the record of measurement
42 including town of origin and, for wood harvested in the State,
43 the number on the harvest notification form to any employee of
44 the State charged with enforcing the provisions of this
45 subchapter. A person who fails to comply with the provisions of
46 this section or misrepresents information is subject to the
47 penalties provided in section 2368.
48
49
50

SUMMARY

2
4 This bill repeals the provision in the wood measurement laws
6 that requires that a trip ticket accompany each load of wood
8 transported. Instead, the bill requires the harvest notification
10 number to be recorded on the measurement tally sheet. The bill
requires the truck driver to provide the wood scaler and persons
charged with enforcing the wood measurement laws with the town of
origin for a truckload of wood and the harvest notification
number for wood harvested in the State.