

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1475

S.P. 490

In Senate, February 23, 1999

An Act to Clarify the Tree Growth Tax Law.

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PINGREE of Knox.
Cosponsored by Representative GAGNON of Waterville and
Senator RUHLIN of Penobscot.

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

4 **Sec. 1. 36 MRSA §574-C is enacted to read:**

6 **§574-C. Additional requirement for land ownership greater than**
8 **100,000 acres**

10 In addition to the requirements of section 574-B, a
12 landowner who owns more than 100,000 acres statewide must comply
14 with this section.

16 1. Sustainable harvest levels. On forest land taxed in
18 accordance with this subchapter, harvesting within species groups
20 and total harvesting may not exceed sustainable harvest levels
22 for any rolling 10-year average. For the purposes of this
24 section, "sustainable harvest levels" means that harvest levels
26 do not exceed growth levels. The determination of sustainable
28 levels must be based on past growth and yield and other criteria
30 established by rules in accordance with subsection 2.
32 Sustainable levels may not be based on projected growth and yield.

34 2. Rule-making authority. No later than January 1, 2000,
36 the Commissioner of Conservation shall adopt rules in accordance
38 with Title 5, chapter 375 to define species groups and to
establish criteria for determining sustainable harvest levels and
a procedure for certifying landowner compliance with this
section. Rules adopted pursuant to this section are routine
technical rules as defined in Title 5, chapter 375, subchapter
II-A.

34 **SUMMARY**

36 This bill requires landowners who own more than 100,000
38 acres of land in the State to harvest at or below a sustainable
level on their forest land taxed under the Maine Tree Growth Tax
Law. It requires the Department of Conservation to adopt rules
to establish a procedure for determining landowner compliance.