

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1458

H.P. 1089

House of Representatives, March 8, 2001

An Act Regarding Forest Sustainability.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative HAWES of Standish.

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

4 **Sec. 1. 12 MRSA §8869, sub-§13** is enacted to read:

6 13. Species sustainability. A landowner or agent of a
8 landowner who owns at least 1,000 acres of forest land may not
10 cut more of a species in a year than that species regenerates in
12 a year, based upon established growth rates consistent with
current scientific research, except that, if a landowner does not
cut the total allowable amount of a species in a year, the
balance of the uncut species allowed to be cut may be carried
over pursuant to rules adopted by the department.

14 **Sec. 2. Rules.** The Commissioner of Conservation shall adopt
16 rules to determine the established growth rates and to implement
18 a banking system for the carrying over of uncut species allowed
20 to be cut without adversely affecting species sustainability
22 under the Maine Revised Statutes, Title 12, section 8869,
subsection 13. Rules adopted pursuant to this section are major
substantive rules as defined in the Title 5, chapter 375,
subchapter II-A and must have a public hearing pursuant to Title
5, section 8092, subsection 1.

24 **SUMMARY**

26 This bill prevents a landowner of 1,000 acres or more of
28 forest land from cutting more of a species in a year than that
30 species has regenerated in a year and allows a landowner to bank
32 any uncut species allowed to be cut in that year to be cut in
34 future years. This bill also stipulates that rules adopted by
the Department of Conservation to determine established growth
rates and to implement a banking system are major substantive
rules requiring a public hearing.