

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1782

H.P. 1304

House of Representatives, December 22, 2003

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**An Act To Provide Residents of the United States with Timber  
Harvesting Jobs on Land Managed by the Department of  
Conservation, Bureau of Parks and Lands**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative JACKSON of Fort Kent.  
Cosponsored by Senator STANLEY of Penobscot and  
Representatives: HATCH of Skowhegan, HUTTON of Bowdoinham, PARADIS of  
Frenchville, PATRICK of Rumford, SMITH of Monmouth, SMITH of Van Buren, WATSON  
of Bath, Senator: BRYANT of Oxford.

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

4 **Sec. 1. 12 MRSA §1834, sub-§2,** as enacted by PL 1997, c. 678,  
§13, is amended to read:

6 **2. Grant of permits.** The bureau may grant permits and  
8 enter into contracts to cut timber, harvest grass and wild foods,  
tap maple trees for sap and cultivate and harvest crops provided  
10 that those permits and contract rights create revocable licenses  
12 to the permittee or party to the contract and do not create any  
real property interest in the nonreserved public lands. The  
bureau may not grant a permit to, or enter into a contract with,  
14 an individual who is not a United States resident for the  
cutting, skidding or hauling of timber on or from nonreserved  
public lands. If the bureau grants a permit or enters into a  
16 contract with a corporation or other legal entity to cut timber  
on nonreserved public lands, that permit or contract must include  
18 a provision prohibiting any person who is not a United States  
resident from cutting, skidding or hauling timber on or from  
20 nonreserved public lands. For purposes of this subsection,  
22 "United States resident" means a person who is considered a  
United States resident for purposes of 26 United States Code,  
Subtitle A (2003).

24 **Sec. 2. 12 MRSA §1848, sub-§2,** as enacted by PL 1997, c. 678,  
26 §13, is amended to read:

28 **2. Grant of permits.** The bureau may grant permits and  
30 enter into contracts to cut timber, harvest grass and wild foods,  
tap maple trees for sap and cultivate and harvest crops provided  
32 that such permits and contract rights create revocable licenses  
to the permittee or party to the contract and do not create any  
34 real property interest in the public reserved lands. The bureau  
may not grant a permit to, or enter into a contract with, an  
36 individual who is not a United States resident for the cutting,  
skidding or hauling of timber on or from public reserved lands.  
38 If the bureau grants a permit or enters into a contract with a  
corporation or other legal entity to cut timber on public  
40 reserved lands, that permit or contract must include a provision  
prohibiting any person who is not a United States resident from  
42 cutting, skidding or hauling timber on or from public reserved  
lands. For purposes of this subsection, "United States resident"  
44 means a person who is considered a United States resident for  
purposes of 26 United States Code, Subtitle A (2003).

46 **SUMMARY**

48 This bill prohibits the Department of Conservation, Bureau

2 of Parks and Lands from granting a permit to, or entering into a  
3 contract with, an individual who is not a United States resident  
4 for the cutting, skidding or hauling of timber on or from public  
5 reserved lands or nonreserved public lands. If the bureau grants  
6 a permit or enters into a contract with a corporation or other  
7 legal entity to cut timber on reserved or nonreserved land, that  
8 permit or contract must include a provision prohibiting any  
9 person who is not a United States resident from cutting, skidding  
10 or hauling timber on or from reserved or nonreserved land.