

# MAINE STATE LEGISLATURE

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DATE

L.D. 1872

DATE: 3/3/06

(Filing No. H-798)

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6 AGRICULTURE, CONSERVATION AND FORESTRY

8 Majority

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12 the House.

14 STATE OF MAINE  
16 HOUSE OF REPRESENTATIVES  
18 122ND LEGISLATURE  
20 SECOND REGULAR SESSION

22 COMMITTEE AMENDMENT "A" to H.P. 1312, L.D. 1872, Bill, "An  
24 Act To Provide Forest Certification Cost-share Incentives to  
26 Forest Landowners and Licensed Foresters"

28 Amend the bill by striking out all of section 2 and  
30 inserting in its place the following:

32 'Sec. 2. 12 MRSA §8011, as enacted by PL 2001, c. 439, Pt.  
34 KKKK, §1, is repealed and the following enacted in its place:

36 §8011. Cost-share fund established; purpose

38 A forest certification incentive cost-share fund, referred  
40 to in this chapter as "the fund," is established as a nonlapsing  
42 dedicated account to provide incentives to licensed foresters and  
44 landowners for obtaining independent 3rd-party certification and  
46 recertification. The bureau shall administer the fund in  
accordance with section 8014. The bureau may accept donations  
and grants from public and private sources for deposit in the  
fund.'

Further amend the bill in section 3 in subsection 3 in  
paragraph B in the 2nd line (page 2, line 5 in L.D.) by striking  
out the following: "must receive no" and inserting in its place  
the following: 'may not receive any'

Further amend the bill by striking out all of section 5 and  
inserting in its place the following:

**COMMITTEE AMENDMENT**

2       'Sec. 5. 12 MRSA §8013, as enacted by PL 2001, c. 439, Pt.  
3       KKKK, §1, is repealed.

4       Sec. 6. 12 MRSA §8014 is enacted to read:

6       §8014. Administration of cost-share fund; procedure

8       The bureau shall administer the fund to reimburse eligible  
9       persons for a portion of the costs of obtaining independent  
10       3rd-party certification in accordance with this section.

12       1. Eligibility. The following persons are eligible for  
13       cost-share funds:

14           A. A licensed forester who has obtained independent  
15           3rd-party certification or recertification as a forest  
16           resource manager in order that the forester's client  
17           landowners may obtain the benefits accruing from such  
18           certification;

19           B. A landowner who owns 1,000 acres or less of forest land  
20           statewide and has obtained independent 3rd-party  
21           certification or recertification for the land; and

22           C. A group of landowners who have collectively obtained  
23           3rd-party certification or recertification for their land as  
24           long as some or all of the landowners own 1,000 acres or  
25           less.

26       2. Maximum amount of cost-share funds distributed. The  
27       amount of cost-share funds distributed to a person eligible for  
28       reimbursement under subsection 1, paragraph A or B may not exceed  
29       50% of the cost of obtaining independent 3rd-party certification.

30       The maximum amount of cost-share funds distributed to a group of  
31       landowners eligible for reimbursement under subsection 1,  
32       paragraph C is calculated by multiplying the number of landowners  
33       in the group who own 1,000 acres or less of forest land by 50% of  
34       the cost of obtaining independent 3rd-party certification and  
35       dividing the product by the total number of landowners in the  
36       group.

37       For the purposes of this subsection, "cost of obtaining  
38       independent 3rd-party certification" means the fee paid to an  
39       external auditor to complete the certification process.

40       3. Repayment required. A licensed forester, landowner or  
41       group of landowners that accepts cost-share funds in accordance  
42       with this chapter but that fails to retain certification for the

2 full certification period shall repay the full amount of the  
3 cost-share funds received to the bureau. The bureau may impose a  
4 reasonable interest rate on the amount of the funds to be  
5 repaid. The bureau shall deposit all repayments and interest  
6 received under this subsection into the fund.

7 4. Forms. The bureau shall provide application forms for  
8 licensed foresters, landowners and groups of landowners seeking  
9 cost-share funds pursuant to this chapter.'

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12 **SUMMARY**

13 This amendment is the majority report of the Joint Standing  
14 Committee on Agriculture, Conservation and Forestry. It expands  
15 the eligibility criteria for reimbursement from the forest  
16 certification incentive cost-share fund to include a group of  
17 landowners who collectively receive certification. It also  
18 allows the fund to be used for recertification. It limits the  
19 amount of reimbursement received by a group of landowners based  
20 on the number of landowners at or below the 1,000-acre ownership  
21 threshold.  
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