

Amendment to LD 36
An Act To Amend the Definition of “Timber Harvesting”
Offered by Senator Dill
(for work session discussion)
February 23, 2021

Amend the bill by inserting before the enacting clause the following:

Emergency preamble, Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Department of Agriculture, Conservation and Forestry, Bureau of Forestry relies on timber harvest notifications to track green wood movement in Maine and on accurate information provided by landowners and wood processors to track wood use which, in turn, informs forest policy discussions;

Whereas, with the increase in large powerline, windfarm and solar projects throughout the State, this legislation will assist the regulated community to better understand when it is necessary to file a timber harvest notification with the Bureau of Forestry;

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore

Amend the bill in section 1 as follows:

Sec. 1. 12 MRSA §8868, sub-§4, as amended by PL 1997, c. 720, §6, is further amended to read:

4. Timber harvesting. "Timber harvesting" means the cutting or removal of ~~timber for the primary purpose of selling or processing forest products~~ trees or forest products that when cut or removed are transported to a roundwood processing operation, as defined in section 8881, subsection 10. “Timber harvesting” does not include, from wood reclaiming operations, the removal and transport of bark that has been detached from a tree or log for at least one year, trees or logs.

Amend the bill by inserting after section 8 and before the summary the following:

In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This amendment clarifies that timber harvesting does not include, from wood reclaiming operations, the removal and transport of bark that has been detached from a tree or log for at least one year, trees or logs. The amendment also adds an emergency preamble and emergency clause to the bill.