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No. 36

S.P. 44

In Senate, January 13, 2021

An Act To Amend the Definition of "Timber Harvesting"

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Received by the Secretary of the Senate on January 11, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DILL of Penobscot.

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

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

4 **4. Timber harvesting.** "Timber harvesting" means the cutting or removal of ~~timber~~
5 ~~for the primary purpose of selling or processing forest products~~ trees or forest products that
6 when cut or removed are transported to a roundwood processing operation, as defined in
7 section 8881, subsection 10.

8 **Sec. 2. 12 MRSA §8881, sub-§3**, as enacted by PL 1989, c. 555, §12 and affected
9 by c. 600, Pt. B, §11, is amended to read:

10 **3. Forest products.** "Forest products" means logs, pulpwood, veneer, bolt wood,
11 wood chips, stud wood, poles, pilings, biomass fuel wood, fuel wood, bark or other
12 products commonly known as forest products, but does not include Christmas trees, maple
13 syrup, nursery products used for ornamental purposes, wreaths, bough material, cones or
14 other seed crops.

15 **Sec. 3. 12 MRSA §8881, sub-§10**, as enacted by PL 1989, c. 555, §12 and affected
16 by c. 600, Pt. B, §11, is amended to read:

17 **10. Roundwood processing operation.** "Roundwood processing operation" means
18 sawmills; bolter mills; shingle mills; veneer mills; fence pole and piling making operations;
19 pulp and paper mills; wafer board, particle board and plywood mills; whole tree chippers;
20 commercial fuel wood processors; and bark processors; custom processing mills of these
21 products; and log yards established to accumulate logs awaiting shipment to these
22 operations.

23 **Sec. 4. 17 MRSA §2511, sub-§1, ¶E**, as enacted by PL 2003, c. 550, §1, is
24 amended to read:

25 E. "Timber harvesting" ~~means the cutting or removal of timber for the primary purpose~~
26 ~~of selling or processing forest products~~ has the same meaning as in Title 12, section
27 8868, subsection 4.

28 **Sec. 5. 23 MRSA §3360-A, sub-§1, ¶A-2**, as enacted by PL 1999, c. 718, §1, is
29 amended to read:

30 A-2. "Commercial timber harvesting activity" ~~means the cutting or removal of timber~~
31 ~~for the primary purpose of selling or processing forest products and includes the~~
32 ~~attendant operation of mobile or portable chipping mills and of cutting and skidding~~
33 ~~machinery and the creation, use and maintenance of skid trails, skid roads, winter haul~~
34 ~~roads and other roads to facilitate timber harvesting~~ has the same meaning as "timber
35 harvesting activities" as defined in Title 12, section 8868, subsection 5.

36 **Sec. 6. 38 MRSA §436-A, sub-§13**, as amended by PL 2013, c. 320, §6, is further
37 amended to read:

38 **13. Timber harvesting.** "Timber harvesting" ~~means the cutting and removal of timber~~
39 ~~for the primary purpose of selling or processing forest products~~ has the same meaning as
40 in Title 12, section 8868, subsection 4. "Timber harvesting" does not include the cutting
41 or removal of vegetation within the shoreland zone when associated with any other land
42 use activities.

Sec. 7. 38 MRSA §438-B, sub-§1, ¶C, as enacted by PL 2003, c. 335, §5, is amended to read:

C. "Timber harvesting" means cutting or removal of timber for the primary purpose of selling or processing forest products has the same meaning as in Title 12, section 8868, subsection 4.

Sec. 8. 38 MRSA §480-B, sub-§2-B, as amended by PL 2011, c. 599, §11, is further amended to read:

2-B. Forest management activities. "Forest management activities" means timber stand improvement, timber harvesting activities, forest products harvesting and regeneration of forest stands. For the purposes of this definition, "timber harvesting activities" means timber harvesting, the construction and maintenance of roads used primarily for timber harvesting, the mining of gravel used for the construction and maintenance of roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting. For the purposes of this definition, "timber harvesting" means the cutting or removal of timber for the primary purpose of selling or processing forest products has the same meaning as in Title 12, section 8868, subsection 4.

SUMMARY

This bill amends the definition of "timber harvesting" to clarify that timber harvesting means any cutting or removal of trees or forest products that when cut or removed are transported to a roundwood processing operation. It also adds bark to the definition of "forest products" and log yards and bark processors to the definition of "roundwood processing operation" in the laws governing forest landowner and wood processor reporting requirements.