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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 551, L.D. 1573, Bill, "An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Lumber and Solid Wood Products Harvested in the State"

Amend the bill by striking out the title and substituting the following:

'An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Timber Harvested in the State'

Amend the bill in section 1 in §1778 by striking out all of subsection 2 (page 2, lines 1 to 3 in L.D.) and inserting the following:

'2. Residue. "Residue" has the same meaning as in Title 12, section 8881, subsection 8.'

'3. Roundwood. "Roundwood" has the same meaning as in Title 12, section 8881, subsection 9.'

Amend the bill in section 1 in §1778 by adding after subsection 4 the following:

'5. Timber. "Timber" means roundwood and residue.'

Amend the bill in section 1 in §1778 by renumbering the subsections to read consecutively.

Amend the bill in section 1 in §1779 by striking out of all subsections 1 and 2 (page 2, lines 13 to 28 in L.D.) and inserting the following:

'1. Acquisition by state agency. Notwithstanding any other provision of law to the contrary, and to the extent consistent with federal law, a state agency that contracts for timber harvesting or contracts for or acquires timber shall give preference to timber harvested in the State by an in-state contractor, as long as the price, fitness and quality of the timber is equal to that of timber harvested outside the State.'

'2. State subsidies; penalty; enforcement. Notwithstanding any other provision of law to the contrary, and to the extent consistent with federal law, if the State provides a

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1 subsidy to a person who purchases timber, the person shall give preference to timber  
2 harvested in the State by an in-state contractor, as long as the price, fitness and quality of  
3 the timber is equal to that of timber harvested outside the State. The Superior Court,  
4 upon an action brought by the Attorney General, may assess against a person who  
5 violates this subsection a civil penalty of \$250 for each violation. Each load of timber  
6 delivered pursuant to a purchase made in violation of this subsection constitutes a  
7 separate violation.'

8 Amend the bill in section 1 by striking out all of §1780 (page 2, lines 37 to 39 in  
9 L.D.) and inserting the following:

10 **§1780. Rules**

11 The Department of Administrative and Financial Services shall adopt rules to  
12 implement this subchapter. Rules adopted pursuant to this section are routine technical  
13 rules as defined in chapter 375, subchapter 2-A.'

14 **SUMMARY**

15 This amendment is the majority report of the committee. The amendment changes  
16 certain terminology and definitions in the bill to clarify the types of wood to which the  
17 provisions of the bill apply. The amendment replaces the terms "lumber" and "solid wood  
18 products" in the bill with the term "timber," which is further defined as "roundwood,"  
19 meaning logs, bolts and other round sections of wood, and "residue," meaning  
20 by-products of a processed log. The amendment also adds a reference to state contracts  
21 for timber harvesting.