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MAINE FOREST SERVICE
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**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

IN SUPPORT OF LD 261

An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting

March 18, 2025

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Patty Cormier. I am the Director of the Maine Forest Service (MFS), and I am speaking on behalf of the Department of Agriculture, Conservation and Forestry (DACF) in support of LD 261.

DACF strongly supported this bill during the 131st session and continues to support the important clarifications regarding the process for municipal adoption of timber harvesting ordinances. LD 261 clarifies statutes on municipal timber harvesting ordinances and implements recommendations from a December 2021 ACF committee report. *Resolve 2021, Chapter 70, Regarding Authority of Municipalities to Regulate Timber Harvesting*, created a 15-member stakeholder group that informed the report and met four times in 2021. The group's work was invaluable in helping prioritize the issues, resulting in greater flexibility for towns in meeting requirements and improving avenues for consultation with MFS.

Existing state law regarding municipal adoption of forestry ordinances has undergone several modifications in the past three decades. The current law was enacted in 1999 as part of the reform of the Forest Practices Act (FPA), found in Title 12 M.R.S §8869.

The process includes:

- the participation of a licensed forester in the development or amendment of the ordinance;
- consultation with MFS during the development or amendment of the ordinance;
- a public hearing held by the municipality which affords MFS the opportunity to speak to any proposed ordinance or amendment; and
- notification to landowners of the proposed ordinance or amendment.

The 1999 FPA also required municipalities with forestry ordinances to ensure that definitions used in those ordinances were consistent with the State law or rule by January 1, 2001.

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However, to date, very few municipalities have contacted MFS regarding the adoption or amendment of forestry ordinances.

This process was established to ensure that municipal timber harvesting ordinances do not create unnecessary confusion or arbitrary limitations on accepted forestry practices for woodland owners, foresters, and loggers. This bill clarifies the above existing statutory requirements and sets new, achievable timelines.

Specifically, the bill extends the deadline to June 2029 for towns to bring such ordinances adopted before January 2026 into compliance with these requirements. It clarifies that MFS must certify that such ordinances have been adopted in accordance with the statutory requirements. Finally, the bill outlines how such ordinances are to be shared in a centralized registry maintained by MFS and thereby made more accessible to the public.

MFS supports municipalities' ability to regulate land use and is committed to working with municipalities to address issues regarding existing or proposed ordinances to meet local priorities while affording woodland owners clear guidelines and the flexibility they need to manage their forests for the long term.

Lastly, the revised definition of "Timber harvesting activities" in section 1, paragraph 5 has significant unintended consequences by impacting Title 12, Subchapters 3-A and 5. We request that this revision be deleted from the bill. The original intent of this change, to exempt municipal ordinances that address changes in land use from these process requirements, can be accomplished through similar language inserted in Section 2, paragraph 8. Thank you, Representative Bunker, for sponsoring this bill and the amendment to make these proposed changes.

I urge that the committee fully support this amended bill. Thank you for your time. I would be happy to answer any questions now or at the work session.