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**Testimony of Senator Russell Black before the Joint Standing Committee on
Agriculture, Conservation & Forestry**

LD 1407 "An Act To Provide That a Forestry Operation That Conforms to Accepted Practices
May Not Be Declared a Nuisance"

Good morning Senator Dill, Representative O'Neil and members of the Committee on
Agriculture, Conservation & Forestry. I am Senator Russell Black and I represent Senate
District 17. I am here today to present LD. 1407 "An Act To Provide That a Forestry Operation
That Conforms to Accepted Practices May Not Be Declared a Nuisance"

This legislation enacts the Right To Practice Forestry Act. It provides that a municipality that
allows a forestry operation to operate in that municipality may not regulate that forestry
operation in a manner that limits or prohibits any generally accepted forest management
practices, which the bill requires the Department of Agriculture, Conservation and Forestry to
establish by rule.

This bill is similar to Maine's Right to Farm Law. Given how important forestry is to the state,
we should give forest landowners protections similar to those afforded farmers. The right to farm
has helped farmers, and it has created good opportunities for education and communication and
if enacted this legislation can do the same for those in forestry.

The performance standards in state laws and rules provide adequate protection of our natural
resources. Additional regulation of forest operations at the local level could result in duplication
of effort, inconsistent and overlapping regulation, confusion for regulators and forest landowners
and serve as a disincentive to retain private working forest.

The Legislature invested a lot of effort several years ago to consolidate statewide forestry
regulations with the Maine Forest Service. It was a successful effort that this bill will help
reinforce.

The question has been raised is this legislation needed, I have been told by the Maine Forest
Service there are a number of towns that are proposing ordinances when it comes to forestry and
the problems that these could bring. Someone from the department will be coming after me to
give examples and explain the issues these ordinances could cause.

Thank you and I would be happy to answer any questions you may have.

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