

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred
3 House Bill No. 857 entitled “An act relating to timber harvesting” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended by striking out Secs. 5–8 of the
6 bill in their entirety and inserting in lieu thereof the following:

7 Sec. 5. 10 V.S.A. § 2613 is added to read:

8 § 2613. HARVEST NOTIFICATION

9 (a) Notification required. Except as provided in subsection (b) of this
10 section, within seven days of commencing a timber harvest on a property, a
11 person conducting a timber harvest shall notify the Commissioner of the
12 harvest. The Commissioner shall allow for a harvest notification by electronic
13 means, telephone, or paper submission.

14 (b) Exemptions. Harvest notification required under subsection (a) of this
15 section is not required for:

16 (1) a timber harvest of less than ? acres; or

17 (2) a person harvesting timber on land that the person owns or controls.

18 (c) Harvest notification. The harvest notification shall contain, at a
19 minimum, the following information:

1 (1) the name of the person conducting the harvest and his or her mailing
2 address; address of the principal place of business or residence; e-mail address,
3 if any; and telephone number.

4 (2) the landowner's name; mailing address; physical address of
5 residence; e-mail address, if any; and telephone number;

6 (3) the location of the timber harvest, including the town and the nearest
7 public town highway used to access the timber harvest;

8 (4) the date the timber harvest commenced or the estimated date the
9 harvest will commence and the estimated date the harvest will be completed;

10 (5) the estimate of the acreage of the timber harvest area;

11 (6) whether the harvest will be conducted under a timber sale
12 contract; and

13 (7) the harvest type, including whether the harvest is a clear cut,
14 selective cut, or other type of harvest.

15 (d) Harvest number. Upon receipt of a complete harvest notification, the
16 Commissioner shall assign a unique harvest number to the timber harvest.

17 (e) Duration. The harvest number issued by the Commissioner shall be for
18 a term not to exceed three years. The Commissioner may extend the three-year
19 term if the landowner files a new harvest notification for the timber harvest.

20 (f) Posting. The harvest number for the timber harvest shall be posted in
21 the format or manner as required by the Commissioner at a location at the log

1 landing that is clearly visible and legible for the duration of the forestry
2 operation.

3 (g) Rulemaking. The Commissioner may adopt rules to implement the
4 requirements of this section.

5 Sec. 6. 10 V.S.A. § 8003 is amended to read:

6 § 8003. APPLICABILITY

7 (a) The Secretary may take action under this chapter to enforce the
8 following statutes and rules, permits, assurances, or orders implementing the
9 following statutes, and the Board may take such action with respect to
10 subdivision (10) of this subsection:

11 * * *

12 (25) 10 V.S.A. chapter 83, subchapter 8, relating to the importation of
13 firewood, and harvest notifications;

14 * * *

15 Sec. 7. 10 V.S.A. § 8503(a) is amended to read:

16 (a) This chapter shall govern all appeals of an act or decision of the
17 Secretary, excluding enforcement actions under chapters 201 and 211 of this
18 title and rulemaking, under the following authorities and under the rules
19 adopted under those authorities:

20 (1) The following provisions of this title:

21 * * *

1 (T) chapter 83, subchapter 8 (importation of firewood and harvest
2 notifications);

3 * * *

4 Sec. 8. EFFECTIVE DATES

5 (a) This section and Secs. 1 (findings), 2 (policy), 3 (definitions), and 4
6 (enforcement) shall take effect on July 1, 2016.

7 (b) Secs. 5–7 (harvest notification) shall take effect on July 1, 2017.

8

9

10 (Committee vote: _____)

11

12

Senator _____

13

FOR THE COMMITTEE