

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 379

H. P. 265

House of Representatives, January 17, 1961.

Referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Hardy of Hope.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Amending the Christmas Tree Law.

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

Sec. 1. R. S., c. 36, § 67-A, amended. The first sentence of section 67-A of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'It shall be unlawful for any person, firm, corporation or partnership, for commercial purposes to ~~sell or~~ transport Christmas trees or evergreen boughs from private, state or federal lands to any place or places within or outside this State without first registering with the State Forestry Department or persons designated by the ~~Forest~~ commissioner, but no registration will be required of landowners or holders of written permits from landowners for **cutting or bundling** and or hauling such trees and boughs to roadside ~~for sale at roadside or to a dealer.~~

Sec. 2. R. S., c. 36, § 67-B, amended. Section 67-B of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'**Sec. 67-B. Definitions.** For the purpose of sections 67-A to 67-J:

I. Christmas tree. "Christmas tree" means any evergreen tree severed from the stump and includes fir, hemlock, spruce, cedar and pine, cut for commercial purposes as a Christmas tree. ~~Also for the purpose of sections 67-A to 67-J, "evergreen boughs" means~~

II. Evergreen boughs. "Evergreen boughs" mean boughs or tips of all species of coniferous trees cut for commercial purposes ~~as wreaths, tips or other Christmas decorations.~~

III. Roadside. "Roadside" is defined as the nearest public way accessible to the cutting area or initial loading point.'

Sec. 3. R. S., c. 36, § 67-C, sub-§ II, amended. Subsection II of section 67-C of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows :

'II. Transit. In transit: A current landowner permit or owner of growth thereon permit or other written proof of ownership and state Christmas tree registration when transporting trees loosely or in bundles, or boughs, loosely or baled, and in the case of over the highway transportation, each driver must carry such permit and registration on person or in vehicle. Dealers using more than one truck may obtain duplicate copies, at a charge of 25c each, of their registration for use by the drivers. In the case of railroad shipment or transportation of Christmas trees, loosely or in bundles, or boughs, loosely or baled, a certificate of shipment must be posted on both doors or both sides of each railroad car.'

Sec. 4. R. S., c. 36, § 67-E, amended. The last paragraph of section 67-E of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows :

'In addition to the penalty of a suspension or revocation of registration, any person, firm, corporation or partnership who violates any of the provisions mentioned in this section or who offers any resistance to carrying out the provisions of sections 67-A to 67-J shall be deemed guilty of a misdemeanor and if convicted thereof shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment for not more than 3 months, or by both. After deductions of court costs such fines shall be credited to the State Forestry Department for administration of sections 67-A to 67-J.'