

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 465

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H. P. 1403 House of Representatives, February 26, 1929.

Referred to Committee on State Lands and Forest Preservation and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Hawkes of Standish.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE

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AN ACT Relating to Auxiliary State Forests.

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

Section 1. The forest commissioner shall have full charge  
2 of all auxiliary state forests, as the same are hereinafter  
3 defined.

Sect. 2. Auxiliary state forests shall include all areas  
2 owned by corporations, firms, or individuals, now covered  
3 by trees or which shall be planted to trees for use as fuel,  
4 manufacture or sale, and which are capable of producing  
5 fifteen thousand feet, board measure, of soft wood, and  
6 eight thousand feet, board measure, of hardwood, or their

7 equivalent, per average acre, exclusive of ledges, swamps,  
8 bogs, or ponds, the owner of which, shall in cities and or-  
9 ganized townships have filed with assessors and forest  
10 commissioner plans or description of such tracts with a  
11 request that the same be included as a part of the auxiliary  
12 forests of the state; upon receipt of application of owners  
13 for inclusion of land as a part of the auxiliary state forests,  
14 the primary purpose of which shall be to produce timber  
15 for manufacture or sale, the assessors shall notify the owner  
16 within thirty days of the acceptance or rejection of said  
17 application. If the assessors reject the application or fail  
18 to take action within thirty days, the applicant may appeal  
19 to the forest commissioner, who shall have an investiga-  
20 tion made, and, if in his judgment the land is capable of  
21 producing timber as required by this section, shall grant  
22 such application.

Sect. 3. State, town and plantation assessors shall, for  
2 the purpose of taxing auxiliary state forests, appraise only  
3 the land, which shall be appraised at the same valuation  
4 as stripped forest land in the same vicinity; provided,  
5 however, that such valuation shall not exceed two dollars  
6 per acre, independent of any great pond therein.

Sect. 4. No person desiring to clear land for agricultural  
2 purposes, for building, or for highways, or to cut trees  
3 for use in building camps, dams, or the construction of  
4 ways, or for use as fuel in the course of lumbering opera-  
5 tions, or from his own land for use upon his farm in the

6 ordinary course of good husbandry, shall pay tax under  
7 this act, unless the wood so cut is to be sold for fuel or  
8 sold or used for manufacture.

Sect. 5. All persons, firms or corporations owning auxil-  
2 iary state forests, and who are engaged in the business of  
3 cutting trees therefrom for market or manufacture shall  
4 pay to the various cities, towns and plantation, where the  
5 land from which said trees so cut is located, a tax of one-  
6 half of one per cent, if cut during the first year, one per  
7 cent for the second year, and one and one-half per cent  
8 for the third year, two per cent the fourth year, two and  
9 one-half per cent the fifth year, three per cent the sixth  
10 year, three and one-half per cent the seventh year, four  
11 per cent the eighth year, four and a half per cent the ninth  
12 year and five per cent the tenth year, and thereafter upon  
13 the stumpage value of all trees so cut and during the year  
14 ending the first day of April the value of the stumpage  
15 so cut, and shall make a return to the assessors each year  
16 stating the amount of each kind of wood or timber cut  
17 during the preceding year ending April first, together with  
18 the estimated stumpage value or actual stumpage price re-  
19 ceived therefor.

Sect. 6. Any person, firm or corporation refusing to make  
2 the returns required by this act within the time limited  
3 herein or any person who shall knowingly or wilfully make  
4 a false return of the quantity of logs cut or the number  
5 of cords of wood cut, during any season, or who shall cut

6 any trees from the auxiliary state forests contrary to the  
7 provisions of this act shall be punished by a fine not ex-  
8 ceeding one thousand dollars.

Sect. 7. Provided, however, that in any one year not  
2 more than ten per cent of the area of a town can be ad-  
3 mitted as a part of the auxiliary state forests of the state  
4 if the assessors of said town file a protest with the forest  
5 commissioner within ten days from the date of application  
6 for admission.

Sect. 8. Provided that all or any part of any land in-  
2 cluded in the auxiliary state forest may be withdrawn by  
3 filing with the forest commissioner description of such land  
4 and the payment of the tax on the full value of trees there-  
5 on.

Sect. 9. Chapter one hundred seventy-eight of the pub-  
2 lic laws of nineteen hundred twenty-one, as amended, by  
3 chapter one hundred thirty-eight of the public laws of nine-  
4 teen hundred twenty-three, and all other acts or parts of  
5 acts inconsistent herewith are hereby repealed.