

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1971

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

Chapter 486

AN ACT Regulating Roadside Clear Cutting Practices.

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

R. S., T. 12, § 519, additional. Title 12 of the Revised Statutes is amended by adding a new section 519 to read as follows:

§ 519. Prohibited woods harvesting practices

In order to promote maximum safety of the users of public roads; to protect the public investment in such roads; to preserve and enhance the natural scenic beauty and aesthetic features of public roads; to prevent unreasonable distraction of motorists using public roads; to prevent erosion of the land bordering public roads; to prevent the accumulation of slash from clear cutting operations, which slash contributes to the danger of forest fires, and to promote the general health, safety and welfare of the public, the Legislature declares it to be in the public interest, for the public benefit and the good order of the people of the State, to regulate roadside clear cutting practices.

It is unlawful for any person, firm, corporation or other legal entity to cut down trees on land within a distance of 100 feet from the right-of-way limits of any numbered highway generally used by the public, except:

1. Land used for agricultural purposes and for the cultivation of crops other than forest products;
2. Land used for residential, nonwoodland commercial, industrial or recreational purposes or being developed for such purposes;
3. Thinning and clearing in connection with public improvement and public utility projects, or pursuant to any order of the Public Utilities Commission issued under Title 35, section 1189;
4. Land used for access to abutting land, but in such case the severance shall be limited in width to that authorized under Title 23, section 704;
5. In connection with the removal of dead or dying trees or the removal of trees affected by fire, excessive wind, insect or disease epidemics;
6. Selective cutting which removes not more than 40% of the trees within the 100-foot strip and returns a well distributed stand of tree foliage, except that more than 40% may be removed if a state forester so recommends or if a private forester with the approval of the Forestry Department so recommends;
7. Improvement cuttings for purposes of beautification, improving species composition and distribution;
8. Cultured Christmas tree areas.

The Forestry Department shall be the enforcing agency.

Whoever violates this section shall on conviction be punished by a fine of not more than \$1,000.