

MAINE STATE LEGISLATURE

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(New Draft of H. P. 393, L. D. 485)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 818

H. P. 711

House of Representatives, March 4, 1975

Reported by Mr. Farnham from the Committee on State Government and printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Transfer Responsibility for Forest Management of
Indian Township to the Commissioner of Indian Affairs.**

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

22 MRSA § 4834, first ¶, as last amended by PL 1973, c. 460, § 18, is further amended to read:

The ~~Director of the Bureau of Forestry~~ Commissioner of Indian Affairs with the consent of the 2 Passamaquoddy tribal governors and tribal councils, may sell to the best advantage of the Passamaquoddy Tribe, at public or private sale, to a citizen of the State, the timber and grass from township numebred 2 on the St. Croix River, called Indian Township, expressly retaining in the written contract of sale a lien on the timber and grass cut, until the amount due for stumpage thereon is paid. **The commissioner shall include in each contract of sale specific restrictions and conditions requiring the cutting to be done in accordance with sound forestry management. The commissioner shall require the purchaser to deliver to him a surety bond in a penal sum equal to the amount of the contract conditioned upon the proper performance of the contract to be executed by a surety company authorized to transact business in the State as surety, the contract and bond to be approved as to form by the Attorney General, and to be filed in the office of the Commissioner of Indian Affairs.** Every surveyor appointed by said ~~Director of the Bureau of Forestry~~ commissioner to scale or survey the lumber so sold, before entering on his duties, shall be sworn to the faithful performance of his trust, and shall file a certificate of his oath with the ~~director~~ commissioner. From the gross income from the sale of timber and grass, the ~~Director of the Bureau of Forestry~~ commissioner shall make payment to the Treasurer of State to be allotted to the Bureau of Forestry on the basis of the state-wide annual per acre expenditure for forest fire protection for the last fiscal year for all lands

within Indian Township not already paying a Maine Forestry District tax for the prevention, control and extinguishment of forest fires.

Sec. 2. 22 MRSA § 4834, as last amended by PL 1973, c. 460, § 18, is amended by adding a new paragraph at the end to read:

Anyone who cuts timber and grass from Indian Township without the written permission of the Commissioner of Indian Affairs shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 11 months, or by both.

STATEMENT OF FACT

The purpose of this bill is to require sound forestry management to be included in every contract of sale of lumber and grass in Indian Township, a bond to ensure proper performance and a penalty for cutting without written permission of the Commissioner of Indian Affairs.