

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1296

H. P. 1074

House of Representatives, March 28, 1977

On motion of Mr. Spencer of Standish, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hunter of Benton.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Establish an Action in Trespass for Cutting Trees on Land of Another.**

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

**14 MRSA § 7552-A**, as enacted by PL 1975, c. 253, is repealed and the following enacted in its place:

**§ 7552-A.** Land on which 10 acres or more of wood is to be harvested

Whoever authorizes the harvesting of trees on his own property, when this harvesting involves an area of 10 or more acres, shall clearly mark that property line or those property lines which are within 200 feet of the area to be harvested. When a property line determined by agreement of the abutting owners or by survey is not established and marked before tree harvesting, whoever cuts, permits to be cut or causes to be cut, trees for forestry purposes shall be liable for damages of timber trespass. The trespasser shall be liable in a civil action to the owner of the property where the trespass occurred for any timber cut. The damages shall be judged by the value of the timber delivered to the roadside, plus any damages, the cost of the line survey to prove the trespass and any professional registered forester's fees in the determination of the loss.

STATEMENT OF FACT

This bill establishes an action in trespass for cutting trees on the land of another.