

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 170

H. P. 144

House of Representatives, January 8, 1981

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. E. Paradis of Old Town.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Concerning the Taking of Wood without Permission of the Owner.

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

17 MRSA § 2510 is enacted to read:

§ 2510. Unlawful cutting of trees

1. **Unlawful cutting.** Any person who intentionally, knowingly, recklessly or negligently cuts down or fells any tree, except in the performance of activities carried out pursuant to Title 23, section 701, without the consent of the owner of the property on which the tree stands commits a civil violation for which the forfeitures provided in this section may be adjudged.

2. **Forfeitures.** The following forfeitures may be adjudged for each tree which has been cut or felled:

- A. If the tree is no more than 6 inches in diameter, a forfeiture of \$25;
 - B. If the tree is over 6 and up to 10 inches in diameter, a forfeiture of \$50;
 - C. If the tree is over 10 and up to 14 inches in diameter, a forfeiture of \$75;
 - D. If the tree is over 14 and up to 18 inches in diameter, a forfeiture of \$100;
 - E. If the tree is over 18 and up to 22 inches in diameter, a forfeiture of \$125;
- and

F. If the tree is greater than 22 inches in diameter, a forfeiture of \$150.

3. Diameter. For the purposes of determining the forfeiture, the diameter of a tree shall be the diameter of the tree stump remaining or the diameter of the tree at 4½ feet from the ground if the remaining stump is higher than that distance.

STATEMENT OF FACT

This bill would provide for a forfeiture for cutting trees on other people's property without their permission. The forfeiture would be \$25 for each tree up to 6 inches in diameter; \$50 for each tree over 6 and up to 10 inches in diameter; \$75 for each tree over 10 and up to 14 inches in diameter; \$100 for each tree over 14 and up to 18 inches in diameter; \$125 for each tree over 18 and up to 22 inches in diameter; and \$150 for each tree over 22 inches in diameter.