

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1167

S.P. 348

In Senate, February 20, 1997

An Act to Clarify the Timber Trespass Laws.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

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Sec. 1. 14 MRSA §7552, sub-§3, ¶A, as enacted by PL 1995, c. 450, §2, is amended to read:

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A. When agricultural or forest products have been destroyed or carried away, the ~~owner's-damages~~ owner may be measured recover as damages either by the value of the lost products themselves or by the diminution in value of the real estate as a whole resulting from the violation, whichever is greater.

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Sec. 2. 14 MRSA §7552, sub-§3, ¶D is enacted to read:

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D. For violation of subsection 2, paragraph C the damages may include the cost of engineering and surveying services necessary to reestablish the monument and its proper location.

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SUMMARY

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The bill clarifies what an owner may recover as damages when agricultural or forest products are destroyed or carried away without permission of the owner. This bill also allows an owner that has had land, forest products or agricultural products damaged due to the disturbance, removal or destruction of any monument to include in damages claimed the cost of engineering and surveying services necessary to reestablish the monument and its proper location.