

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1759

S.P. 676

In Senate, December 30, 2005

An Act To Strengthen Maine's Timber Theft Laws

Submitted by the Department of Conservation pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 28, 2005. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NUTTING of Androscoggin.

Cosponsored by Senator: BRYANT of Oxford, Representative: BRYANT of Windham.

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

4 **Sec. 1. 17 MRSA §2512** is enacted to read:

6 **§2512. Failure to pay for trees harvested**

8 **1. Definitions.** As used in this section, unless the
context otherwise indicates, the following terms have the
following meanings.

10 **A. "Forest products"** means logs, pulpwood, veneer, bolt
12 wood, wood chips, stud wood, poles, pilings, biomass fuel
wood, fuel wood or other products commonly known as forest
14 products, but does not include Christmas trees, maple syrup,
nursery products used for ornamental purposes, wreaths,
16 bough material, cones or other seed crops.

18 **B. "Handling or processing facility"** means sawmills, bolter
mills, shingle mills, veneer mills, fence pole and piling
20 making operations, pulp and paper mills, wafer board,
particle board and plywood mills, whole tree chippers,
22 commercial fuel wood processors, custom processing mills of
these products and log yards established to accumulate logs
24 for transshipment to these facilities.

26 **C. "Harvest operation"** means the harvest of forest products
on land in a single municipality or township. Land harvested
28 need not be contiguous, and more than one harvester may work
a harvest operation.

30 **2. Payment within 30 days required.** A person conducting a
32 harvest operation shall pay the landowner for each truckload of
harvested forest products within 30 days of delivery to the
34 handling or processing facility.

36 **A.** In accordance with Title 10, section 2364-A, subsection
2-G, a copy of the measurement tally sheet or stumpage sheet
38 for each truckload of harvested forest products transported
to a handling or processing facility must be provided to the
40 landowner when the person conducting a harvest operation
pays the landowner. Full payment for each truckload of
42 harvested forest products transported to a handling or
processing facility must be made to the landowner within 30
44 days of delivery to the handling or processing facility.

46 **B.** A person that violates this section commits a civil
violation. The following minimum penalties apply:

48 **(1)** For the first offense, a fine of not less than
50 **\$300; and**

