

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 59

S.P. 26

In Senate, January 17, 2013

### An Act Relating to the Unlawful Cutting of Trees

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LANGLEY of Hancock.  
Cosponsored by Senator THOMAS of Somerset and  
Senator: JACKSON of Aroostook, Representative: JOHNSON of Greenville.

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

2 **Sec. 1. 17 MRSA §2510, sub-§§6 and 7** are enacted to read:

3 **6. Second and subsequent violations.** A person who violates subsection 1 after  
4 having previously been adjudicated of a violation of subsection 1:

5 A. Must obtain bonding to the satisfaction of the Commissioner of Agriculture,  
6 Conservation and Forestry before commencing any further tree harvesting; and

7 B. Must obtain approval from the Department of Agriculture, Conservation and  
8 Forestry before commencing any further tree harvesting.

9 The Commissioner of Agriculture, Conservation and Forestry may adopt rules to carry  
10 out the provisions of this subsection. Rules adopted pursuant to this subsection are  
11 routine technical rules pursuant to Title 5, section 375, subsection 2-A.

12 **7. Knowing violation; Class D crime.** A person is guilty of knowingly engaging in  
13 unlawful cutting of trees if that person:

14 A. Violates subsection 1 after having previously been adjudicated of a violation of  
15 subsection 1; and

16 B. Has a culpable state of mind under Title 17-A, section 34 in committing the  
17 second or subsequent violation.

18 Knowingly engaging in unlawful cutting of trees is a Class D crime.

19 **SUMMARY**

20 This bill provides that a person who violates state law regarding the unlawful cutting  
21 of trees more than once must obtain bonding to the satisfaction of the Commissioner of  
22 Agriculture, Conservation and Forestry and seek approval from the Department of  
23 Agriculture, Conservation and Forestry before commencing any further tree harvesting.  
24 This bill creates a new Class D crime of knowingly engaging in the unlawful cutting of  
25 trees.