

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE
3, SECTION 164, SUBSECTION 6.**

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
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C. The notice is delivered to the employee by the same means as and along with wages due the employee; or

D. Timely notice is given to the collective bargaining agent of the employee.

Effective September 18, 1981

CHAPTER 355

H. P. 144 — L. D. 170

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 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, except that the cutting down or felling of any tree by the following are exempt from this section:

A. The Department of Transportation in the performance of activities under Title 23, section 701;

B. Public utilities in maintaining adequate facilities in emergencies in compliance with Title 35, section 51;

C. Licensed arborists in removing street trees or property line trees under contract with a municipality or private individual, or in removing blowdown trees in emergencies; and

D. An abutter, personally or by his agent, involved in a boundary dispute with another abutter.

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.

Effective September 18, 1981

CHAPTER 356

H. P. 995 — L. D. 1183

AN ACT to Allow the Board of Environmental Protection to Authorize and Pay for Oil Spill Damage Studies.

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

Sec. 1. 38 MRSA § 551, sub-§ 5, ¶ H is enacted to read:

H. Sums, up to \$50,000 each year, which have been allocated by the Legislature on a contingency basis in accordance with section 555 for payment of costs for studies of the environmental impacts of discharges prohibited by section 543 which may have adverse economic effects and which occur subsequent to such allocation, when such studies are deemed necessary by the commissioner.

Sec. 2. 38 MRSA § 551, sub-§ 6, ¶ A, as enacted by PL 1977, c. 375, § 14, is amended to read:

A. All disbursements made by the fund pursuant to subsection 5, paragraphs B, D and E and H in connection with a prohibited discharge;

Sec. 3. 38 MRSA § 555, as last amended by PL 1979, c. 541, Pt. A, § 269, is further amended to read:

§ 555. Budget approval

The board shall submit to each Legislature its budget recommendations for disbursements from the fund in accordance with section 551, subsection 5, paragraphs A, C, F and H for each biennium. The budget shall be submitted in