

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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

23 MRSA §1201, sub-§35 is enacted to read:

35. Norway, South Paris and the Oxford Hills Region. Such sign shall be constructed and maintained on the Maine Turnpike no more than 7 miles southerly from exit 11 and shall be worded as follows:

EXIT FOR NORWAY, SOUTH PARIS
AND THE OXFORD HILLS REGION

Effective September 23, 1983.

CHAPTER 507

H.P. 851 - L.D. 1101

AN ACT to Amend the Laws Relating to
Transportation or Cutting of Christmas Trees.

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

Sec. 1. 12 MRSA §8841, sub-§3, as enacted by PL 1979, c. 545, §3, is repealed.

Sec. 2. 12 MRSA §§8842, 8843, 8844 and 8845, as enacted by PL 1979, c. 545, §3, are repealed and the following enacted in their place:

§8842. Owner's permission required

It is unlawful for any person, firm or corporation to cut or transport Christmas trees or evergreen boughs on land of another without securing written permission or bill of sale from the owner or his authorized agents. In the case of cutting, only one such permit is needed per work crew. Any officer authorized to make inspections and investigation under this Article may require of any person, firm or corporation engaged in cutting or transporting Christmas trees or evergreen boughs to show:

1. Cutting. If engaged in cutting, a current written permit or bill of sale from the owner when cutting growth of another; and

2. Transportation. If engaged in transportation, a current written permit, bill of sale, port of entry statement or other written proof of ownership

when transporting for commercial purposes trees, loose or in bundles, or boughs, loose or baled. A driver shall carry this permit on his person or in the vehicle.

§8843. Forgery

Every permit, bill of sale, port of entry statement, or other written document specified in this Article shall be deemed to be a written instrument subject to the laws relating to forgery.

§8844. Seizure or attachment

Any officer authorized to make inspections, investigations or arrests under this Article may seize and hold Christmas trees or evergreen boughs until proof of ownership has been established. If no proof of ownership has been established, the officer shall try to determine where those trees or boughs were cut and notify the landowner. If the owner does not want the trees or boughs, or ownership cannot be determined, the State may dispose of them and any money derived from the disposition of the trees and boughs shall be paid to the landowner, if his identity can be established and, otherwise, to the Treasurer of State to be credited to the General Fund.

§8845. Federal quarantine regulations

Compliance with this Article does not relieve or exempt from legal responsibility any person from compliance with the federal regulations concerning any quarantine law.

Sec. 3. 12 MRSA §8846, as enacted by PL 1979, c. 545, §3, is repealed.

Sec. 4. 12 MRSA §8847, as enacted by PL 1979, c. 545, §3, is repealed and the following enacted in its place:

§8847. Enforcement agencies

State police, county sheriffs, municipal law enforcement officers, state forest rangers and game wardens are authorized to make inspections, investigations, arrests and disposals of trees and boughs under this Article.

Sec. 5. 12 MRSA §8848, as enacted by PL 1979, c. 545, §3, is repealed.

Sec. 6. 12 MRSA §8849, as enacted by PL 1979, c. 545, §3, is repealed and the following enacted in its place:

§8849. Penalty

Violation of section 8842 shall be a theft, subject to the penalties prescribed in Title 17-A, section 362. Prosecution under this section does not preclude the civil remedy available under Title 14, section 7552.

Sec. 7. 14 MRSA §7552, as amended by PL 1977, c. 313, §1, is further amended to read:

§7552. Injury to lands or property

Whoever cuts down, destroys, injures or carries away any ornamental or fruit tree, Christmas tree, evergreen boughs, timber, wood, underwood, stones, gravel, ore, goods or property of any kind from land not his own, without license of the owner, or injures or throws down any fences, bars or gates, or leaves such gates open, or breaks glass in any building is liable in damages to the owner in a civil action. If such an act or such acts are ~~committed~~ committed willfully or knowingly, the defendant is liable to the owner in treble damages and, in addition, for the cost of any professional services necessary for the determination of damages, for attorney's fees, and for court costs. For purposes of this section, Christmas trees and evergreen boughs are defined in Title 12, section 8841.

Effective September 23, 1983.

CHAPTER 508

S.P. 611 - L.D. 1743

AN ACT Relating to the Financing of
Services in the Unorganized Territory.

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

Sec. 1. 5 MRSA §243, sub-§3-A is enacted to read:

3-A. Accounting systems for municipal cost component. To install uniform accounting systems and, no later than 90 days after the end of each fiscal year, perform an annual audit and postaudit of the municipal cost component and the Unorganized Territory Education and Services Fund in Title 36, chap-