MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE   NO. 475

House of Representatives, March 22, 1919.

Reported by Mr. Crane from Committee on State Lands and Forest Preservation and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND NINETEEN

AN ACT for the Care and Preservation of Shade and Ornamental Trees.

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

Section 1. All trees within or upon the limits of any high-
2 way marked as hereinafter provided are hereby declared
3 to be public shade trees. The tree wardens in the several
4 cities and towns, as soon as may be after they are appointed
5 as hereinafter provided, shall carefully examine the trees
6 along the highways under their jurisdiction and plainly
7 mark such trees as they consider should be controlled by
8 the municipality. The forest commissioner shall furnish to
9 the municipal officers of the several cities and towns, at cost,

10 galvanized iron disks not less than two inches in diameter,
11 which disks shall be painted red and shall have stamped on
12 them the letter "M" not less than one inch in height. Said
13 disk shall be inserted in each tree, selected as above pro-
14 vided, at a point not less than three feet nor more than six
15 feet from the ground on the side toward the highway. It
16 shall be the duty of the tree warden, if any tree marker shall
17 be destroyed or defaced, to renew or replace the same.

Sect. 2.   All public shade trees shall be under the care and
2 control of park commissioners in cities and towns which now
3 or hereafter may appoint such commissioners in accordance
4 with sections **eighty-four to ninety-three inclusive of** chapt
5 four of the revised statutes.   As to all such trees said park
6 commissioners shall have the powers and duties hereinafter
7 conferred upon tree wardens.

Sect. 3.   The municipal officers of cities and towns not
2 having elected park commissioners as provided by sections
3 eighty-four to ninety-three inclusive of chapter four of the
4 revised statutes may at any annual meeting or meetings
5 called for that purpose appoint one or more tree wardens,
6 who shall have the care and control of all public shade trees
7 and of all shrubs and other growths upon and along such
8 highways and in the parks thereof and all streets within any
9 village limits and shall enforce all laws relative to the preser-
10 vation of the same.

Sect. 4.   Public shade trees may be trimmed, cut down
2 or removed by a tree warden or park commissioner or by

3 some person acting under his direction or authority by giv-
4 ing at least thirty days notice to the owner of the property
5 abutting such highway, except where such trimming, cutting
6 or removal is ordered by proper authority to lay out, alter
7 or widen the location of highways, to lessen the dangers of
8 travel on highways or to suppress tree pests or insects.

Sect. 5.   Cities and towns may appropriate at any annual
2 or special town meeting money not exceeding fifty cents
3 for each taxable poll in each year to be used in making
4 compensation to tree wardens, and in acquiring, planting,
5 pruning and protecting shade trees.

Sect. 6.   Whosoever trims, cuts or otherwise defaces or
2 destroys a public shade tree or injures, defaces, or destroys
3 any tree marker attached in accordance with section one
4 hereof, shall be punished by a fine of not less than five nor
5 more than twenty-five dollars to be paid to the city or town
6 in which the offense is committed, and expended by said city
7 or town for the purposes outlined in this act as the same
8 may be amended from time to time.

Sect. 7.   The forest commission may provide and distri-
2 bute free of charge at the state nursery, to the several cities
3 and towns, trees for roadside planting.

Sect. 8.   When the municipal officers in any year fail to
2 appoint tree wardens in accordance with section three of
3 this act the provisions of section six shall not apply to pre-
4 viously marked trees in accordance with this act.