

MAINE STATE LEGISLATURE

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no ✓

April 12, 1963

Honorable John H. Jameson
House of Representatives
Augusta, Maine

Dear Mr. Jameson:

Re: L.D. 308, AN ACT Relating to Work on Shade and Ornamental Trees.

You have asked what would happen under this bill if you had an independent contractor doing some general work on your property and you asked him to trim or remove some trees. This is on the assumption that L.D. 308, An Act Relating to Work on Shade and Ornamental Trees, becomes a law.

Such a person, not licensed under this law, would be subjecting himself to the penalties of section 66-R. You will note the definition of an "arborist" in section 66-A, I. It reads in part:

"Arborist means a person who, for profit, . . .
shade or ornamental trees; . . . or removes such trees
or parts thereof;"

Section 66-B requires an arborist to be licensed. Hence, no person except a licensed arborist may remove or trim shade or ornamental trees, except as allowed under 66-D. In your illustration the unlicensed contractor could not remove or trim your trees.

However, you should realize that section 66 of chapter 36 as enacted by P.L. 1961, chapter 336, section 1, will have the same

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results. In other words, the present law accomplishes the same purposes. The proposed law merely sets up qualifications for licensees and gives the board more authority.

Very truly yours,

George C. West
Deputy Attorney General

GCH:H

cc: Representative Clarence Harrington