

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE LAW LIBRARY

New Draft of: S. P. 201, L. D. 534

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1592

S. P. 548

In Senate, May 9, 1961

Reported by Senator Farris from Committee on Legal Affairs. Printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Work on Shade and Ornamental Trees.

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

Sec. 1. R. S., c. 36, § 66, repealed and replaced. Section 66 of chapter 36 of the Revised Statutes, as repealed and replaced by section 1 of chapter 169 of the public laws of 1957, is repealed and the following enacted in place thereof:

'Sec. 66. Qualification to work on trees. No person shall remove shade, roadside or ornamental trees, or improve the condition of such trees by pruning, trimming, treating cavities or spray or treat by any other method such trees or forest trees for control of any insects or diseases, or advertise or solicit contracts to do same, without having secured a certificate as specified in section 67, except that any person may remove, improve or protect any trees on his own premises or on the property of his regular employer without securing such a certificate.'

Sec. 2. R. S., c. 36, § 67, amended. The first 3 paragraphs of section 67 of chapter 36 of the Revised Statutes, as repealed and replaced by section 2 of chapter 169 of the public laws of 1957, are repealed and the following enacted in place thereof:

'The Forest Commissioner, State Entomologist and a plant pathologist, employed by the State of Maine or the University of Maine, and 2 licensed commercial arborists shall constitute an Arborist Licensing Board. The plant pathologist and 2 commercial arborists shall be appointed by the commissioner for a term of 2 years. The board shall upon application from any person determine qualifications of the applicant to remove, improve, protect or preserve shade, ornamental or roadside trees, or to spray such trees or forest trees, and if satisfied that the applicant is qualified, may issue a certificate so stating. Such

certificate shall be valid for one year from the date of its issue, unless sooner revoked as provided in this section, and may be renewed by the board for succeeding years without further examination, upon payment of the fee hereinafter required, provided any person, firm or corporation receiving such certificate shall be responsible for the acts of all employees in the performance of such work.

Said board shall prepare all necessary forms and prescribe all rules and regulations governing examinations and requirements for liability insurance to protect life and property, and any certificate issued under this section may be revoked by it upon proof that improper methods have been used or for other sufficient cause.

Each applicant for examination shall pay an initial fee of \$10, and for issuance of each certificate of renewal a fee of \$5. These fees shall be credited to the appropriation for entomology and may be expended by the board for any expense incurred for examining, licensing and carrying out the purposes of the law.'

Sec. 3. R. S., c. 36, § 67, amended. The 7th paragraph of section 67 of chapter 36 of the Revised Statutes, as repealed and replaced by section 2 of chapter 169 of the public laws of 1957, is repealed and the following enacted in place thereof:

'This section and section 66 shall not apply to state, county, municipal or public utility employees during the course of their employment; nor to highway contractors, subcontractors and their employees in removal of trees during the performance of contracts for the construction or maintenance of highways.'