

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 146

In Senate, Jan. 31, 1913.

Came from the House referred to the Committee on Agriculture, and on motion by Senator Bailey of Penobscot laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT amending Section 7 of Chapter 15 of the Public
Laws of 1907 defining the limits within which the municipi-
pality shall destroy dangerous insects.

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

Section 1. Section 7 of chapter 15 of the Public Laws
2 of 1907 as amended by chapter 34 of the Public Laws of
3 1909 and chapter 84 of the Public Laws of 1911, is hereby
4 further amended by striking out the fourth sentence and
5 substituting in place thereof the following: 'Said limit to
6 extend to and include all trees whose branches overhang the
7 highway;' so that said section as amended shall read as
8 follows:

Should any person in the state suspect the presence of the
10 brown-tail moth or San Jose scale preying upon trees, shrubs
11 or vines in his possession or within his knowledge he shall
12 forthwith notify the commissioner of agriculture to that
13 effect; and it shall be the duty of said commissioner to cause
14 the said trees, shrubs or vines to be inspected. If sufficient
15 cause be found the commissioner of agriculture shall forth-
16 with notify the municipal officers of the city or town where
17 such pests have been found. Municipal officers thus noti-
18 fied shall immediately cause to be destroyed such of the
19 above named insects in their different stages as may be
20 found within the limits of the public streets and parks.
21 Said limit to extend to and include all trees whose branches
22 overhang the highway. Should such municipal officers neg-
23 lect or fail within a reasonable time to perform the duties
24 herein imposed upon them, then the commissioner of agri-
25 culture shall order such city, town or plantation to proceed
26 to destroy the above named insects **in accordance with meth-**
27 **ods to be prescribed by him and to spend such an amount**
28 **in the above named work as he shall deem necessary.**

If any city, town or plantation shall fail to comply with the
30 directions of said commissioner in the performance of said
31 work and the expenditure of such money within the time
32 specified by him, then the commissioner of agriculture shall
33 cause the said work to be done and shall charge the actual
34 expense of the same to said city or town; such amount to

35 be collected as a state tax and credited to this appropria-
36 tion.

Whenever a city, town or plantation is notified by the com-
38 missioner of agriculture of the presence of the brown-tail
39 moth or San Jose scale, the mayor of each city, the select-
40 men of each town and the assessors of each plantation shall
41 notify each owner of real estate located therein, requiring
42 him to destroy the above named insects in his orchard and
43 shade trees within a specified time. If the owner fails to
44 destroy the above named insects before the specified time,
45 then the city, town or plantation subject to the approval of
46 the commissioner of agriculture, shall destroy them, and
47 shall assess upon such aforesaid real estate the actual cost
48 of so doing, to an amount, however, not exceeding one per
49 cent of the assessed valuation of the above named property.
50 The amount so assessed shall be collected in the form of a
51 tax.

It shall be the duty of the commissioner of agriculture to
53 disseminate information concerning the brown-tail and gypsy
54 moths, San Jose scale, and other injurious insects.

Cities and towns may raise the sums necessary to carry
56 out the provisions of this section in the same manner in
57 which money is raised for other necessary municipal pur-
58 poses.'