

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 227

House of Representatives, Feb. 17, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Agriculture.

Committee on Reference.

Presented by Mr. Plummer of Lisbon.

STATE OF MAINE

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

AN ACT Relating to the Removal of Brown-tail Moth Nests
within the Limits of the Highway.

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

Section 7 of chapter 15 of the public laws of 1907 as
2 amended by chapter 34 of the public laws of 1909 and chap-
3 ter 84 of the public laws of 1911, is hereby further amend-
4 ed by striking out the fourth sentence and substituting in
5 place thereof the following:

'Said limit to extend to and include all trees whose
7 branches overhang the highway;' so that said section as
8 amended shall read as follows:

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

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

36 amount to be collected as a state tax and credited to this
37 appropriation.

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

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

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