

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 684

House of Representatives, March 12, 1915.

*Reported to Mr. Washburn from Committee on Agriculture
and ordered printed under joint rules.*

C. C. HARVEY, Clerk.

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
3 Chapter 84 of the Public Laws of 1911, is hereby further
4 amended by striking out the fourth sentence and substitut-
5 ing in place thereof the following:

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

'Should any person in the state suspect the presence of the
10 brown-tail moth or San Jose scale preying upon trees,

11 shrubs or vines in his possession or within his knowledge he
12 shall forthwith notify the commissioner of agriculture to
13 that effect; and it shall be the duty of said commissioner to
14 cause the said trees, shrubs or vines to be inspected. If
15 sufficient cause be found the commissioner of agriculture
16 shall forthwith notify the municipal officers of the city or
17 town where such pests have been found. Municipal officers
18 thus notified shall immediately cause to be destroyed such of
19 the above named insects in their different stages as may be
20 found within the limits of the public streets and parks. Said
21 limit to extend to and include all trees whose branches over-
22 hang the highway. Should such municipal officers neglect
23 or fail within a reasonable time to perform the duties herein
24 imposed upon them, then the commissioner of agriculture
25 shall order such city, town or plantation to proceed to de-
26 stroy the above named insects in accordance with methods
27 to be prescribed by him and to spend such an amount in the
28 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
31 said work and the expenditure of such money within the
32 time specified by him, then the commissioner of agriculture
33 shall cause the said work to be done and shall charge the
34 actual expense of the same to said city or town; such
35 amount to be collected as a state tax and credited to this ap-
36 propriation.

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

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

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