

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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SENATE

NO. 171

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*In Senate, Feb. 13, 1917.*

*Referred to Committee on State Lands and Forest Preservation and one thousand copies ordered printed. Sent down for concurrence.*

*W. E. LAWRY, Secretary.*

*Presented by Mr. Ames of Washington.*

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STATE OF MAINE

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

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AN ACT for the control of the White Pine Blister Rust and  
other fungous and insect pests.

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

Section 1. That the fungous disease commonly known  
2 as the white pine blister rust is hereby declared to be a  
3 dangerous pest in all its stages; and it is the duty of the  
4 officials hereinafter named, to prosecute the measures here-  
5 inafter specified for the control of this pest.

Sect. 2. The Crop Pest Commission is hereby authorized

2 and empowered to promulgate by letter, publication, poster  
3 or other means, information concerning the white pine blis-  
4 ter rust and to designate by the aforesaid means of pro-  
5 mulgation, areas within the state in which control measures  
6 are necessary or advisable. It shall be the duty of every  
7 land owner within such designated area, to carry out such  
8 control measures as are ordered by the Crop Pest Com-  
9 mission, including the removal and destruction of any or  
10 all plants of the genus ribes, commonly known as currants  
11 and gooseberries, and any white pine tree or trees, which  
12 are found to be infected with the disease. If such eradi-  
13 cation is not begun forthwith by the property owner, the  
14 State Crop Pest Commission or their authorized agents are  
15 hereby empowered to remove and destroy any or all cur-  
16 rants and gooseberry bushes or diseased white pine trees  
17 from any public or private land within such designated area ;  
18 and within such area no person shall plant any currants  
19 or gooseberry bush or five-leaved pine tree without per-  
20 mission from the Commission.

Sect. 3. The Crop Pest Commission or their authorized  
2 agents shall have the right to enter upon any private or  
3 public lands to determine the presence or absence of the  
4 white pine blister rust in any of its stages, and to carry  
5 out the necessary eradication measures. The above men-  
6 tioned Commission may cooperate with Departments of the  
7 Federal Government, the State Department of Agriculture,  
8 and the Agricultural Experiment Station for the control

9 or eradication of said disease in the state, and for the  
10 carrying out of such investigations as are deemed advisable  
11 by the Commission.

Sect. 4. Any white pine trees or currant or gooseberry  
2 bushes which are found to be infected with caronarrum  
3 ribicola are hereby declared to be a public menace and any  
4 such diseased trees or plants and any and all wild plants  
5 of the genus ribes, may be destroyed by order of the Com-  
6 mission or their authorized agents.

If within any designated area, as specified in Section 2  
2 of this act, currant or gooseberry bushes or white pine  
3 trees which are not infected with cronartrum ribicola are  
4 designated by the Commission or their agents for destruc-  
5 tion, and destroyed by their specific order, the owner may  
6 be compensated therefor; the damages to be assessed by  
7 the Commission or their agents at not to exceed the actual  
8 value of the material destroyed, and paid to said owner  
9 by the State Treasurer upon authorization of the Com-  
10 mission. In lieu of money damages for any trees or bushes  
11 destroyed under this act the Commission may offer and the  
12 owner may accept forest planting stock to be furnished  
13 from the State Forest Nursery, and to be paid for at cost  
14 by the Commission.

Sect. 5. The State Nursery Inspector, under direction of  
2 the Commissioner of Agriculture, is hereby authorized and  
3 empowered to enter upon any land contiguous to or within  
4 the vicinity of any nursery within the state, for the pur-

5 pose of determining the presence or absence of cronatarrum  
6 ribicola in any of its stages or other threatening fungous  
7 disease or insect pest, and within such area he shall have  
8 the same power and duties for control and eradication of  
9 the white pine blister rust or its hosts as is vested in the  
10 Crop Pest Commission or their agents, and shall have the  
11 power to enforce and carry out necessary measures for the  
12 control or eradication of other threatening fungous diseases  
13 or insect pests.

Sect. 6. The State Nursery Inspector, or the Commis-  
2 sioner of Agriculture is hereby authorized and empowered  
3 to prohibit and prevent or to regulate the entry into the  
4 State of Maine or movement within the state from any part  
5 thereof to any other part, of any living five-leaved pine  
6 trees or any plants of the genus ribes, or other nursery  
7 stock or plants, which in his judgment may cause the intro-  
8 duction or spread of a dangerous plant disease or insect  
9 pest. The said officials are hereby authorized to issue such  
10 orders, notifications and permits as may be necessary to  
11 carry out the provisions of this section, and any person  
12 violating any of the provisions of sections 5 and 6 shall be  
13 subject to a fine of not more than twenty dollars for each  
14 and every offense. The expenses necessary for carrying  
15 out sections 5 and 6 of this act shall be paid from the  
16 appropriation for nursery inspection or other funds of the  
17 Department of Agriculture.

Sect. 7. The sum of ten thousand dollars is hereby ap-

2 appropriated to carry into effect sections 2, 3 and 4 of this  
3 act for the year ending December 31st, 1917; and the sum  
4 of ten thousand dollars for the year ending December 31st,  
5 1918.

Sect. 8. This act shall take effect upon its passage, and  
2 shall not repeal any of the existing laws relating to the pro-  
3 tection of trees and shrubs.