

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 201

House of Representatives, Feb. 20, 1919.

Reported by Mr. Cram from Committee on State Lands and Forest Preservation and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

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

AN ACT for the Care and Preservation of Shade and Ornamental Trees

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

Section 1. All trees within or upon the limits of any
2 highway are hereby declared to be public shade trees.
3 The tree wardens in the several cities and towns, as soon
4 as may be after they are elected as hereinafter provided,
5 shall carefully examine the trees along the highways under
6 their jurisdiction and plainly mark such trees as they con-
7 sider should be controlled by the municipality. The forest
8 commissioner shall furnish to the municipal officers of the
9 several cities and towns, at cost, galvanized iron disks not

10 less than two inches in diameter, which disks shall be
11 painted red and shall have stamped on them the letter
12 "M" not less than one inch in height. Said disk shall be
13 inserted in each tree, selected as above provided, at a point
14 not less than three feet nor more than six feet from the
15 ground on the side toward the highway. It shall be the
16 duty of the tree warden, if any tree marker shall be de-
17 stroyed or defaced, to renew or replace the same.

Sect. 2. All public shade trees shall be under the care
2 and control of park commissioners in cities and towns
3 which now or hereafter may elect such commissioners in
4 accordance with sections eighty-four to ninety-three in-
5 clusive of chapter four of the revised statutes. As to all
6 such trees said park commissioners shall have the powers
7 and duties hereinafter conferred upon tree wardens.

Sect. 3. The municipal officers of cities and towns not
2 having elected park commissioners as provided by sections
3 eighty-four to ninety-three inclusive of chapter four of
4 the revised statutes shall annually appoint one or more
5 tree wardens, who shall have the care and control of all
6 public shade trees and of all shrubs and other growths
7 upon and along such highways and in the parks thereof
8 and all streets within any village limits and shall enforce
9 all laws relative to the preservation of the same.

Sect. 4. Public shade trees may be trimmed, cut down,
2 or removed only by a tree warden or park commissioner,
3 or by some person acting under his direction or authority,

4 except where such trimming, cutting or removal is ordered
5 by proper authority to lay out, alter or widen the location
6 of highways, to lessen the dangers of travel on highways
7 or to suppress tree pests or insects.

Sect. 5. Cities and towns may appropriate money not
2 exceeding fifty cents for each taxable poll in each year to
3 be used in making compensation to tree wardens, and in
4 acquiring, planting, pruning and protecting shade trees.

Sect. 6. Whosoever trims, cuts, or otherwise defaces or
2 destroys a public shade tree or injures, defaces, or destroys
3 any tree marker attached in accordance with section one
4 hereof, shall be punished by a fine of not less than five
5 nor more than fifty dollars to be paid to the city or town
6 in which the offense is committed, and expended by said
7 city or town for the purposes outlined in this act as the
8 same may be amended from time to time.

Sect. 7. The forest commissioner may provide and dis-
2 tribute free of charge at the state nursery, to the several
3 cities and towns, trees for roadside planting.