

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 975

H. P. 1641

House of Representatives, March 17, 1933.

Reported by Mr. Littlefield from Committee on State Lands and Forest Preservation and laid on table to be printed under Joint Rules.

HARVEY R. PEASE, Clerk.

New Draft of H. P. 1156, L. D. 603.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Concerning the Improvement, Protection or Preservation of Shade, Forest or Ornamental Trees.

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

Sec. 1. Qualification to work on trees. No person, firm or corporation shall advertise, solicit or contract to improve the condition of shade, forest or ornamental trees, by pruning, trimming, or filling cavities, or to protect such trees from damage by insects or disease, either by spraying or any other method, without having secured a certificate as specified in section 2 of this act; provided any person may improve or protect any trees on his own premises or on the property of his employer without securing such a certificate.

Sec. 2. Certificate may be issued. The forest commissioner, state entomologist, and a botanist to be appointed by the forest commissioner, shall constitute a board which shall, upon application from any person, firm, or corporation, determine the qualifications of the applicant to improve, protect or preserve shade, ornamental, or forest trees, and if satisfied that the applicant is qualified, may issue a certificate so stating; which certificate shall be valid for 1 year from the date of its issue, unless sooner revoked as provided in section 3 of this act, and may be renewed by the board for succeeding years without further examination, upon payment

of the fee hereinafter required, provided any person, firm, or corporation receiving such certificate shall be responsible for the acts of all employees in the performance of such work.

Sec. 3. Examination and forms. Said board shall prepare all necessary forms and prescribe all rules and regulations governing examinations, and any certificate issued under the provisions of this act may be revoked by it upon proof that improper methods have been used or for other sufficient cause.

Sec. 4. Fees. Each applicant for an examination shall pay a fee of \$5 in advance, and a fee of \$2, for each certificate of renewal issued; which fees shall be credited to the appropriation for general forestry purposes, and which may be expended by the board for any expense incurred by it in making examinations or issuing certificates.

Sec. 5. Rates. For all work to be performed a fixed hourly rate must be stated, and if involving a sum in excess of \$50 must be done under a written contract form describing the work and fixing the maximum cost.

Sec. 6. Application. This act shall not apply to state, county, or municipal employees while engaged in their regular line of duty.

Sec. 7. Penalty. Any person, firm or corporation failing to comply with the terms of this act shall be punished by a fine of not more than \$100.