

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

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KENNEBEC JOURNAL

AUGUSTA, MAINE

1957

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

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## Chapter 169

### AN ACT Relating to Working on Trees.

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

Sec. 1. R. S., c. 36, § 66, repealed and replaced. Section 66 of chapter 36 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'Sec. 66. Qualification to work on trees. No person, firm or corporation shall advertise or solicit contracts to remove shade, roadside or ornamental trees, nor advertise, solicit or contract to improve the condition of such trees by pruning, trimming or filling cavities, or to spray or treat by any other method such trees or forest trees for control of any insects or diseases, without having secured a certificate as specified in section 67; except that any person may remove, improve or protect any trees on his own premises or on the property of his employer without securing such a certificate.'

Sec. 2. R. S., c. 36, § 67, repealed and replaced. Section 67 of chapter 36 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'Sec. 67. Certificate may be issued; examination and forms; fees; rates; application; penalty. 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 remove, improve, protect or preserve shade, ornamental or roadside trees, or to spray such trees or forest trees, and if satisfied that the applicant is qualified, may issue a certificate so stating; which certificate shall be valid for one year from the date of its issue, unless sooner revoked as provided in this section, 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.

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

Each applicant for an examination shall pay a fee of \$10 in advance, and a fee of \$3, for each certificate of renewal issued; which fees shall be credited to the appropriation for entomology, and which may be expended by the Board for any expense incurred by it in making examinations, issuing certificates or to carry out the purposes of the law.

In case of accident, sickness or entering the armed services, a demit for 2 years, which may be extended at the discretion of the Board, may be obtained if requested on or before the expiration date of the current certificate.

Any certified tree surgeon who fails to renew his certificate or obtain a demit during any license year may in subsequent years renew his certificate only after paying of all unpaid renewal fees or by payment of \$10 and submitting to an examination.

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.

The provisions of this and section 66 shall not apply to state, county or municipal employees while engaged in their regular line of duty.

Any person, firm or corporation failing to comply with the terms of this and the preceding section shall be punished by a fine of not more than \$100 and costs or not more than 60 days in jail.'

Effective August 28, 1957

## Chapter 170

AN ACT Relating to Town Representation on Community School Committee.

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

R. S., c. 41, § 117, amended. The 1st 2 sentences of section 117 of chapter 41 of the Revised Statutes are hereby amended to read as follows:

'A community school committee shall consist of not more than 9 members, the total number to be determined by the trustees of the district. The representation of each town on the community school committee shall be determined by the trustees of the district and shall be in approximately the same ratio to the total membership of the committee as the town's enrollment is to the enrollment in that school; provided, however, that no town shall have less than one nor more than 3 representatives on the committee.'

Effective August 28, 1957

## Chapter 171

AN ACT Relating to Suspension of Penalties Pending Appeal of Order of Water Improvement Commission.

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

R. S., c. 79, § 6, amended. Section 6 of chapter 79 of the Revised Statutes is hereby amended by adding at the end thereof a new sentence, to read as follows:

'When an appeal is taken from any such order, no fine shall be imposed for that period of time during which said appeal is pending.'

Effective August 28, 1957