

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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As Passed by the One Hundredth Legislature

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required to be registered under this section shall further comply with all the provisions contained in sections 3 and 4, regardless of the fact that the vessel in question is propelled by machinery of less than 10 horsepower.

Every operator of a motorboat propelled by outboard motor and carrying passengers for hire shall be examined by the commissioner, through the warden service as to his qualifications, and if satisfied therewith, the commissioner shall grant him a license for such operation, which license shall expire on the last day of the calendar year in which it is issued unless sooner revoked by the commissioner for intemperance, incompetency or willful violation of duty. The commissioner may grant a renewal of such license upon written application and without further examination. Said license shall be in the possession of the operator at all times when he is carrying passengers for hire in such motorboat.'

Sec. 7. R. S., c. 36-A, § 10, sub-§ II, amended. Subsection II of section 10 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

'II. Reports. In the case of collision, accident or other casualty involving a vessel numbered under this chapter, the operator thereof, if the collision, accident or other casualty results in death or injury to a person or damage to property in excess of \$100, shall file with the commissioner of ~~Inland Fisheries and Game~~ a full description of the collision, accident or other casualty, including such information as the commissioner of ~~Inland Fisheries and Game~~ may, by regulation, require. Such report shall not be referred to in any way and shall not be evidence in any judicial proceeding.'

Sec. 8. R. S., c. 36-A, § 15, amended. Section 15 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended by adding a new paragraph to read as follows:

'The commissioner may establish safety zones for the purpose of limiting use and boat speeds and make reasonable rules and regulations necessary for the proper administration of this chapter.'

Sec. 9. R. S., c. 37, § 66, repealed. Section 66 of chapter 37 of the Revised Statutes, as revised, is repealed.

Sec. 10. Effective date. This act shall become effective January 1, 1963.

Effective January 1, 1963

Chapter 336

AN ACT Relating to Work on Shade and Ornamental 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, as repealed and replaced by section 1 of chapter 169 of the public laws of 1957, is repealed and the following enacted in place thereof:

'Sec. 66. Qualification to work on trees. No person shall remove shade, roadside or ornamental trees, or improve the condition of such trees by pruning,

trimming, treating cavities or spray or treat by any other method such trees or forest trees for control of any insects or diseases, or advertise or solicit contracts to do same, 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 regular employer without securing such a certificate.'

Sec. 2. R. S., c. 36, § 67, amended. The first 3 paragraphs of section 67 of chapter 36 of the Revised Statutes, as repealed and replaced by section 2 of chapter 169 of the public laws of 1957, are repealed and the following enacted in place thereof:

'The Forest Commissioner, State Entomologist and a plant pathologist, employed by the State of Maine or the University of Maine, and 2 licensed commercial arborists shall constitute an Arborist Licensing Board. The plant pathologist and 2 commercial arborists shall be appointed by the commissioner for a term of 2 years. The board shall upon application from any person determine 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. Such 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 requirements for liability insurance to protect life and property, and any certificate issued under this section may be revoked by it upon proof that improper methods have been used or for other sufficient cause.

Each applicant for examination shall pay an initial fee of \$10, and for issuance of each certificate of renewal a fee of \$5. These fees shall be credited to the board and may be expended by the board for any expense incurred for examining, licensing and carrying out the purposes of the law.'

Sec. 3. R. S., c. 36, § 67, amended. The 7th paragraph of section 67 of chapter 36 of the Revised Statutes, as repealed and replaced by section 2 of chapter 169 of the public laws of 1957, is repealed and the following enacted in place thereof:

'This section and section 66 shall not apply to state, county, municipal or public utility employees during the course of their employment; nor to highway contractors, subcontractors and their employees in removal of trees during the performance of contracts for the construction or maintenance of highways.'