

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
**One Hundred and Fourth Legislature**

AT THE  
**SPECIAL SESSION**

January 6, 1970  
to  
February 7, 1970

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the particular activity in which he was engaged at the time of the alleged violation, and the commissioner may suspend for the same period any and all licenses and permits held by the respondent, and any and all rights he has to obtain such licenses or permits.

**A.** A person, whose license, permit or right is suspended under this section, is entitled to a hearing upon written request to the commissioner. The commissioner shall set a time and place for said hearing which is to be held within 20 days after receipt by him of the request.

(1) At the hearing the person applying for reinstatement of his license, permit or right may present any relevant facts concerning the alleged violation.

(2) The commissioner may reinstate the license, permit or right if he is satisfied to do so would be in the interest of justice.

**Sec. 2.** R. S., T. 10, § 2155, amended. The 2nd paragraph of section 2155 of Title 10 of the Revised Statutes, as enacted by chapter 301 of the public laws of 1969, is amended to read as follows:

The bureau is authorized and it is its duty to prevent waste of oil and gas and related materials to protect correlative rights, and to prevent pollution, to make such regulations, issue such permits and collect such fees as are necessary to the proper administration of this Act, and otherwise to administer and enforce this Act. It has jurisdiction over all persons and property necessary for that purpose.

Effective May 9, 1970

## Chapter 536

### AN ACT Clarifying the Laws Relating to Parks, Squares and Playgrounds.

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

**Sec. 1.** R. S., T. 30, § 3802, amended. The 2nd sentence of section 3802 of Title 30 of the Revised Statutes, as amended by section 1 of chapter 394 of the public laws of 1969, is further amended to read as follows:

All trees and shrubs growing on said land shall be held as for park purposes ~~under the exclusive care and control of conservation commissioners chosen as provided in section 3851.~~

**Sec. 2.** R. S., T. 30, § 3803, amended. The last sentence of section 3803 of Title 30 of the Revised Statutes, as amended by section 2 of chapter 394 of the public laws of 1969, is further amended to read as follows:

~~Conservation commissioners~~ **Municipal officers** may grant written license to the owner to do such cutting and clearing on said land as is consistent with the preservation and general improvement of the growth thereon.

**Sec. 3. R. S., T. 30, § 3851, amended.** The 3rd sentence of section 3851 of Title 30 of the Revised Statutes, as enacted by section 3-A of chapter 394 of the public laws of 1969, is amended to read as follows:

Such commission ~~shall~~ **may** have the care and superintendence of the public parks and, subject to the approval of the municipal officers, direct the expenditure of all moneys appropriated for the improvement of the same.

**Sec. 4. R. S., T. 30, § 3851, amended.** The last paragraph of section 3851 of Title 30 of the Revised Statutes, as enacted by section 2 of chapter 203 of the public laws of 1965 and amended by section 5 of chapter 394 of the public laws of 1969, is further amended to read as follows:

Nothing in this law shall be construed to require a municipality which has heretofore constituted a park commission under prior law to establish a conservation commission, and any such park commission heretofore established may continue to operate as originally established ~~until such time as the municipality may choose to establish a conservation commission.~~

**Sec. 5. R. S., T. 30, § 3853, repealed and replaced.** Section 3853 of Title 30 of the Revised Statutes, as amended by section 7 of chapter 394 of the public laws of 1969, is repealed and the following enacted in place thereof:

#### § 3853. Park commissioners

Notwithstanding the law relating to conservation commissions, municipalities and village corporations are authorized and empowered to elect or appoint 5 park commissioners, to hold office one, 2, 3, 4 and 5 years, respectively initially, and after the first year choose annually a commissioner for 5 years in place of the one whose term expires. Such commissioners shall have the care and superintendence of the public parks, and, subject to the approval of the municipal officers, direct the expenditure of all moneys appropriated or available for the improvement of the same.

**Sec. 6. R. S., T. 30, § 3854, amended.** Section 3854 of Title 30 of the Revised Statutes, as amended by section 8 of chapter 394 of the public laws of 1969, is further amended to read as follows:

#### § 3854. Supervision of shade trees

All public shade trees ~~shall~~ **may** be under the care and control of conservation commissioners in municipalities which now or hereafter may appoint such commissioners in accordance with subchapters I, II and V. As to all such trees said conservation commissioners ~~shall~~ **may** have the powers and duties conferred upon tree wardens.