

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1971

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

W.E.L.S., T. 15, R. 9, W.E.L.S., T. 14, R. 9, W.E.L.S., T. 13, R. 9, W.E.L.S., T. 12, R. 9, W.E.L.S., T. 11, R. 9, W.E.L.S., and all other municipalities and unorganized territory in Aroostook County to the west of these.

Effective September 23, 1971

Chapter 347

AN ACT to Amend the Arborist Law.

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

Sec. 1. R. S., T. 32, § 1951, sub-§ 1, amended. Subsection 1 of section 1951 of Title 32 of the Revised Statutes, as amended by section 70 of chapter 226 of the public laws of 1965, is further amended to read as follows:

1. **Arborist.** "Arborist" means a person who, for ~~profit~~ compensation, diagnoses or evaluates the condition of shade or ornamental trees; or solicits, recommends or supervises the treatment of such trees; or in any manner or for any purpose treats or cares for such trees or parts thereof; or takes down or fells such trees by topping or by sections; or for control of any diseases, injuries or insects, sprays or treats by any other method such trees or forest trees.

Sec. 2. R. S., T. 32, § 1952, sub-§ 4, amended. Subsection 4 of section 1952 of Title 32 of the Revised Statutes, as amended by section 70 of chapter 226 and section 18-C of chapter 425, both of the public laws of 1965, is further amended to read as follows:

4. **Others.** Highway contractors, subcontractors, and their employees in the removal of trees during the performance of contracts for the construction or maintenance of highways, and the ~~falling, pruning, trimming or shaping~~ removal of interfering shade or ornamental trees or interfering parts of shade or ornamental trees by a general contractor in the conduct of his regular business.

Effective September 23, 1971

Chapter 348

AN ACT Relating to Imposition of Sentence to the State Prison.

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

R. S., T. 34, § 1631, sub-§ 4, additional. Section 1631 of Title 34 of the Revised Statutes, as amended by chapter 54 of the public laws of 1965, is further amended by adding a new subsection 4 to read as follows:

4. **Sentence to State Prison.** The court may impose a sentence to the State Prison, suspend execution of a portion of this sentence and order the respondent to serve any number of days provided it shall not be less than 30

days nor more than 60 days of the imposed sentence and place him on probation for a period of 2 years, provided he has not previously served a prison sentence. Such probation shall commence at the time of imposition of sentence.

Effective September 23, 1971

Chapter 349

AN ACT Relating to Authority of Trustees.

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

R. S., T. 18, § 3955, additional. Title 18 of the Revised Statutes is amended by adding a new section 3955, to read as follows:

§ 3955. Authority of trustees

1. Authority. In the absence of contrary or limiting provisions in the court order or decree appointing the trustees or in any subsequent order or decree or in the will or other instrument, every trustee is authorized:

A. To accept additions to any estate or trust from other sources as well as from the estate of the decedent or the settlor of a trust;

B. To acquire the remaining undivided interest in the property of a trust in which the trustee, in his fiduciary capacity, holds an undivided interest;

C. To invest and reinvest property of the trust under the provisions of the will or other instrument or as otherwise provided by law;

D. To effect and keep in force fire, rent, title, liability, casualty or other insurance to protect the property of the trust and to protect the trustee;

E. With respect to any real property or any estate therein owned by a trust, except where such property or any estate therein is specifically disposed of:

(1) To take possession of, collect the rents from and manage the same;

(2) To sell the same at public or private sale, and on such terms as in the opinion of the trustee will be most advantageous to those interested therein;

(3) To lease the same for any term of years;

(4) To make ordinary repairs to the property of the trust; and

(5) To grant options for the sale of property for a period not exceeding 6 months;