

# MAINE STATE LEGISLATURE

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May 22, 1964

Austin H. Wilkins, Commissioner

Forest Service

Leon V. Walker, Jr., Assistant

Attorney General

**Reimbursement for Forest Fires**

**FACTS:**

The Lucerne-in-Maine Village Corporation exists within the town of Dedham. The fire chief of Dedham is also the fire chief of the corporation and men from both are employed to suppress forest fires.

**QUESTION:**

Under Revised Statutes chapter 97, section 60, subsection V, to whom is the State to pay the one-half reimbursement for labor employed to suppress fires either in the town or in the corporation?

**ANSWER:**

See opinion.

**OPINION:**

As to volunteer labor paid on an hourly basis, it is assumed that if the fire were within the corporation limits payment would be made by the corporation treasurer and that the bill for reimbursement would be sent to the State by him, and that if the fire were without the corporation limits it would be the town that would pay the labor and seek reimbursement. In any event, payment by the State should be to whichever municipality actually paid the bills.

If the fire chief is also paid only on hourly basis for the time actually spent fighting fires, the same situation would exist. If, however, he is paid an annual salary, it seems likely he is paid partly by the corporation and partly by the town. In this event, reimbursement should be made to both the corporation and the town, in the same proportion that each contributes to his salary, regardless of where the fire occurs.

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