

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1174

H. P. 778

House of Representatives, February 10, 1965

Received by unanimous consent. Referred to Committee on State Government.

Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mrs. Lincoln of Bethel.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Revising Certain Laws Relating to Prevention of Forest Fires.

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

Sec. 1. R. S., T. 12, § 901, amended. The last sentence of the first paragraph of section 901 of Title 12 of the Revised Statutes is amended to read as follows.

'They shall make payments to the Maine Forestry District in lieu of taxes on the basis of ~~3~~ 6c per acre per year for all land within the Baxter State Park area for the prevention, control and extinguishment of forest fires.'

Sec. 2. R. S., T. 12, § 1355, additional. Title 12 of the Revised Statutes is amended by adding a new section 1355, to read as follows:

§ 1355. Loss of State reimbursement

Any municipality in which a municipal dump has been posted "Closed to Dumping" as set forth in this subchapter, which continues to permit dumping therein, shall during said period lose the benefits of State reimbursement of forest fire suppression costs on fires which escape from such dump as provided by Title 25, section 2505, up to an amount equal to 1% of the State valuation of the municipality.'

Sec. 3. R. S., T. 12, § 1456-A, additional. Title 12 of the Revised Statutes is amended by adding a new section 1456-A, to read as follows:

§ 1456-A. Spark arresters on certain equipment

No equipment for producing power shall be operated in, through, or near forest lands unless it is provided with approved and efficient devices designed to prevent the escape of sparks, carbon deposits or other substances likely to cause fires. The operator of equipment not provided with such a device or

having such a device which is not in effective operating condition shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days, or by both.'

Sec. 4. R. S., T. 12, § 1653, additional. Title 12 of the Revised Statutes is amended by adding a new section 1653, to read as follows:

'§ 1653. Partial payment of costs of suppressing forest fires

Any person, firm or corporation who shall willfully or negligently cause a fire which burns forest, brush, grass or other lands or shall willfully fail to take reasonable action to control a fire on his own land shall be liable civilly up to a maximum of \$500 of the suppression costs to the State or municipality which aids in suppressing the same.'

Sec. 5. R. S., T. 25, § 2434, repealed and replaced. Section 2434 of Title 25 of the Revised Statutes is repealed and the following enacted in place thereof:

'§ 2434. Disposal of lighted matches, cigarettes, etc.

No person shall dispose of a lighted match, cigarette, cigar, ashes or other flaming or glowing substance, or any other substance or thing in such a condition that it is likely to ignite forest, brush, grass or other lands, or dispose of any of the aforesaid objects or substances from a moving vehicle. Whoever violates this section shall be punished by a fine of not less than \$10 nor more than \$50.'

Sec. 6. R. S., T. 25, § 2436-A, additional. Title 25 of the Revised Statutes is amended by adding a new section 2436-A, to read as follows:

'§ 2436-A. Burning of debris

For the purposes of this section "debris" shall be defined as any manufactured product, household rubbish, hay or other vegetative accumulations or materials not included in Title 12, § 1551. No person, firm or corporation shall burn debris out of doors other than when the ground is covered with snow, except between the hours of 5 p.m. and 12 midnight. This section shall not apply to burning in incinerators approved by a municipal fire chief, town forest fire warden or forest ranger; burning at municipally maintained dumps; burning in municipalities wherein ordinances control the time and manner of such burning; nor to special burning jobs where a written permit is provided by the municipal fire chief, town forest fire warden or forest ranger. Whoever violates this section shall be punished by a fine of not less than \$10 nor more than \$50.'

Sec. 7. R. S., T. 29, § 1368, sub-§ 1, amended. The first sentence of subsection 1 of section 1368 of Title 29 of the Revised Statutes is amended to read as follows:

'Lights used on ambulances, fire department vehicles, vehicles operated by city and town fire inspectors, **forestry department vehicles used for forest fire control purposes**, and by vehicles operated by chiefs and assistant chiefs of fire departments shall emit a red beam of light.'