

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-670)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1126, L.D. 1396, Bill,  
"AN ACT to Make Substantive Changes in the Forestry Statutes."

Amend the Bill by striking out all of section 9 and  
inserting in its place the following:

'Sec. 9. 38 MRSA §599, sub-§2, as enacted by PL 1973,  
c. 438, §8, is repealed and the following enacted in its  
place:

2. Exemptions. Open burning may be permitted for the  
following purposes:

A. With a permit obtained under subsection 3:

(1) Open burning for the control or prevention of  
any disease, virus or similar hazard to public  
health;

(2) Open burning for agricultural purposes, such as  
land clearing, blueberry control or burning for  
similar prescribed cultural purposes;

(3) Open burning for the disposal of any material  
generated by the demolition of any building or the  
clearing of any land for the erection, modification,  
maintenance or construction of any highway, railroad,  
power or communication line or pipeline or commercial  
or industrial or recreational building or development; and

(4) Open burning for training and research; or  
B. Without any permit under this chapter, provided the  
burning will comply with all applicable requirements of  
Title 12, chapter 215:

(1) Open burning for recreational purposes.'

Statement of Fact

The purpose of this amendment is to clarify that open burning for recreation is exempt from the air statutes, but comes under the forestry statute requirements.