

MAINE STATE LEGISLATURE

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L.D. 2347
(Filing No. H-646)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
SECOND REGULAR SESSION

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HOUSE AMENDMENT "*A*" to H.P. 1782, L.D. 2347,
Bill, "AN ACT to Amend the Forest Fire Control Laws
and Change the Method of Funding Forest Fire Control
Services."

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Amend the bill by striking out all of section 1
and inserting in its place the following:

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'Sec. 1. 12 MRSA §9201, as amended by PL 1983,
c. 556, §8, is further amended to read:

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§9201. Responsibility for control of forest fires

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1. First response requirement. All municipali-
ties in the State shall maintain the capability to
make the first response to a forest fire within their
jurisdiction.

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2. Review board. There is created a Board of
First Response Review. The board shall consist of
the Supervisor of the Division of Forest Fire Control
of the Maine Forest Service and 5 municipal fire
chiefs appointed by the Governor from a list submit-
ted by the Maine Fire Chiefs' Association: One shall
represent a municipality with a population of less
than 1,500; one shall represent a municipality be-
tween 1,500 and 3,000; one shall represent a munici-
pality with a population of between 3,000 and 7,000;
one shall represent a municipality with a population
between 7,000 and 15,000; and one shall represent a
municipality with a population of more than 15,000.
The board shall, by November 1, 1984, in consultation
with the Forest Fire Advisory Council and following
the procedures specified in the Maine Administrative
Procedure Act, Title 5, chapter 375, establish stan-
dards for the determination of local first response

HOUSE AMENDMENT "A" to H.P. 1782, L.D. 2347

1 capability. By December 1st of each year, the Bureau
2 of Forestry shall determine if municipalities and the
3 unorganized territory meet the standards promulgated
4 by the board. Localities which disagree with this
5 determination may appeal within 20 days of the notice
6 of determination to the board. In deciding any ap-
7 peal, the Supervisor of the Division of Forest Fire
8 Control may participate but may not vote.

9 3. First response charge. The Legislature de-
10 termines that the cost of state-provided first re-
11 sponse services is 9.2¢ per taxable acre. The Bureau
12 of Taxation shall, by January 1st of each year, bill
13 any municipality or the unorganized territory which
14 is determined not to have met the standards promul-
15 gated by the board. If the board determines, on ap-
16 peal, that a locality was incorrectly charged, the
17 charge shall be abated.

18 Responsibility for the control of forest fires in
19 municipalities lies in the first instance with the
20 town forest wardens appointed for these municipali-
21 ties by the director. When in the judgment of a for-
22 est ranger the situation so warrants, the forest
23 ranger may relieve a town forest fire warden of re-
24 sponsibility for control of a forest fire within a
25 municipality and assume responsibility therefor. Fi-
26 nal authority and responsibility for the control of a
27 forest fire shall be that of the forest ranger.

28 Municipal fire department personnel and equipment
29 shall not be moved within or without municipal limits
30 upon the order of a town forest fire warden or a for-
31 est ranger, except with the approval of the fire
32 chief or proper municipal official having authority
33 to grant such approval.

34 FISCAL NOTE

35 The estimated loss of revenue will be partially

