

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2026

S.P. 769

In Senate, January 13, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Legal Affairs suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BRAUN of Knox.

Cosponsored by Representative MELENDY of Rockland, Senator PERKINS of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT Pertaining to Fire Permit  
Enforcement.

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

12 MRSA §9321, sub-§7 is enacted to read:

7. Failure to produce; civil violation. Any person, firm or corporation which engages in out-of-door burning shall produce the permit issued, on demand of authorized persons, including Fire

1 Chiefs, Town Forest Fire Wardens or their designated  
2 agents, State Forest Rangers and any law enforcement  
3 officer as defined in Title 17-A. Any person, firm or  
4 corporation which violates this subsection commits a  
5 civil violation for which a forfeiture not to exceed  
6 \$1,000 may be adjudged.

7 STATEMENT OF FACT

8 Currently, enforcement of the statutes prohibiting  
9 open burning without a permit is hindered because the  
10 lack of a central filing system makes it hard to  
11 determine if a permit has been issued. This bill  
12 places the burden of proof on the permittee by  
13 requiring that the permit be shown to a law  
14 enforcement officer upon demand, and imposes a civil  
15 penalty for failure to produce a permit.

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