

MAINE STATE LEGISLATURE

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1321, L.D. 1808, Bill, "An Act to Increase the Reimbursement Levels for Forest Fire Suppression Costs"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 12 MRSA §9204, as repealed and replaced by PL 1991, c. 780, Pt. MM §1, is repealed and the following enacted in its place:

§9204. Payment of costs; state reimbursement

1. Municipal payment; state share. A municipality shall pay on an annual basis the costs of controlling and extinguishing forest fires incurred by the forest fire warden or the forest ranger in charge up to an amount that equals 1/2 of 1% of the municipality's state valuation. The State shall reimburse a municipality for 1/2 of that amount.

2. Certain reimbursements. Reimbursement is not allowed for use of or loss of municipally owned equipment within the town in which a fire occurred. A municipality going to the aid of another municipality, even to protect itself, when requested by the state forest ranger in charge, if it requests payment, must be paid by the aided municipality if the total suppression cost of the aided municipality is not over 1/2 of 1% of its state valuation.

3. Payment for each fire. Notwithstanding subsection 1, for each fire a municipality shall pay the first \$10,000 of costs incurred by the forest fire warden or the forest ranger in charge to control and extinguish the fire, except that the total amount

COMMITTEE AMENDMENT

the municipality pays annually for forest fire suppression under this subsection and subsection 1 may not exceed 1/2 of 1% of the municipality's state valuation.

Sec. 2. 12 MRSA §9205, as amended by PL 1991, c. 780, Pt. MM, §2, is repealed and the following enacted in its place:

§9205. Payment of costs beyond 1/2 of 1% of state valuation

The State shall pay all forest fire suppression costs in a municipality greater than 1/2 of 1% of the state valuation of the municipality. A municipality, in order to pay labor quickly, may pay beyond 1/2 of 1% of the state valuation and submit for full reimbursement or forward the unpaid bills approved by the state forest ranger in charge for payment.

Sec. 3. 12 MRSA §9205-A, as amended by PL 1991, c. 780, Pt. MM, §3, is repealed and the following enacted in its place:

§9205-A. Payment of costs in the unorganized territory

1. Responsibility. Responsibility for the control of forest fires in the unorganized territory lies with the State.

2. Reimbursement. The unorganized territory shall reimburse the State on an annual basis for 1/2 of the costs to control and extinguish forest fires up to an amount that equals 1/2 of 1% of the state valuation of the unorganized territory. The State may not require reimbursement for costs of services in the unorganized territory unless a municipality would be required to pay for the service under sections 9204 and 9205.

3. Payment for each fire. Notwithstanding subsection 2, for each fire the unorganized territory shall reimburse the State for the first \$10,000 of costs to control and extinguish the fire, except that the total amount the unorganized territory pays annually for forest fire suppression under this subsection and subsection 2 may not exceed 1/2 of 1% of the unorganized territory's state valuation.'

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1996-97

CONSERVATION, DEPARTMENT OF

Division of Forest Fire Control

All Other

222,850

2 Appropriates funds to reflect
the state's increased share
4 of fire suppression costs.'

6 Further amend the bill by inserting at the end before the
statement of fact the following:

8
10 **FISCAL NOTE**

12 **1996-97**

14 **APPROPRIATIONS/ALLOCATIONS**

16 General Fund \$222,850

18 The Department of Conservation will require additional
20 General Fund appropriations of \$222,850 annually beginning in
fiscal year 1996-97 for increased reimbursements to
22 municipalities for fire suppression costs.'

24 **STATEMENT OF FACT**

26 This amendment strikes the bill. It provides that a
municipality must pay up to .50% of its state valuation for the
28 costs of fighting forest fires in the municipality and the State
must reimburse the municipality for 1/2 of those costs. The
30 amendment also requires the State to pay for all forest fire
costs greater than .50% of a municipality's state valuation.
32 Under current state law, a municipality must pay all the costs of
forest fire control up to .25% of the municipality's state
34 valuation with no reimbursement by the State. The State, under
current law, must pay all forest fire costs in a municipality
that exceed .25% of the municipality's state valuation.

36 The amendment also requires a municipality to pay the first
38 \$10,000 in fire suppression costs for each forest fire, except
that the total amount a municipality pays annually for forest
40 fire suppression costs may not exceed .50% of the municipality's
state valuation.

42 The amendment also provides that the unorganized territory
44 must reimburse the State for 1/2 of the costs of fighting forest
fires up to a total fire-fighting cost equal to .50% of the
46 unorganized territory's state valuation. The State would pay
forest fire costs in the unorganized territory that are greater
48 than .50% of the unorganized territory's state valuation. Under
current state law, the unorganized territory must reimburse the

R. 4. 8.

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2 State for all the costs of forest fire control up to .25% of the
unorganized territory's state valuation with no reimbursement by
4 the State. The State, under current law, must pay all forest
fire costs in the unorganized territory that exceed .25% of the
unorganized territory's state valuation.

6
8 The amendment also requires the unorganized territory to
pay, for each forest fire, the first \$10,000 in fire suppression
costs, except that the total amount the unorganized territory
10 pays annually for forest fire suppression costs may not exceed
.50% of the unorganized territory's state valuation.