

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 217

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT relating to the prevention, control and extinguishment
of forest fires in plantations and unorganized townships.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. The forest commissioner shall take measures
2 for the prevention, control and extinguishment of forest fires
3 in all plantations and unorganized townships, and to this end
4 he shall establish such forest districts as he may deem neces-
5 sary for effective protection against loss or damage by such
6 fires.

Sect. 2. The said commissioner shall appoint in and for
2 each of said districts, so established, a chief forest fire warden,
3 and he shall also appoint within such districts such number
4 of deputy forest fire wardens as in his judgment may be

5 required to carry out the provisions of this act, assigning to
6 each of the latter the territory over and within which he shall
7 have jurisdiction. All chief and deputy forest fire wardens,
8 so appointed, shall hold office during the pleasure of said
9 commissioner, be sworn to the faithful discharge of their
10 duties by any officer authorized to administer oaths, and a
11 certificate thereof shall be returned to the office of such com-
12 missioner.

Sect. 3. The said chief forest fire wardens, under the direc-
2 tion of said commissioner, shall have general supervision of
3 their respective districts and of the deputy forest fire wardens
4 therein. Each chief forest fire warden, when directed by the
5 said commissioner, shall patrol the forests of his district for
6 the purpose of searching out, extinguishing and guarding
7 against forest fires. He shall investigate and gather evidence
8 regarding the causes of forest fires, enforce all laws relating
9 to forests and forest preservation, arrest all violators thereof,
10 prosecute all offenses against the same, and in this connection
11 shall have the same power to serve criminal processes against
12 such offenders and shall be allowed the same fees as a sheriff,
13 or his deputy, for like services, and shall have and enjoy the
14 same right as a sheriff to require aid in executing the duties
15 of his office. Said chief forest fire wardens shall perform
16 such other duties, at such times, and under such rules and
17 regulations, as the said commissioner may prescribe, and each
18 shall receive as compensation two dollars and fifty cents for
19 each and every day of actual service, with an allowance for
20 expenses of travel and subsistence not to exceed two dollars
21 daily for such period. The said commissioner may authorize
22 the employment of suitable persons to assist said chief forest
23 fire wardens in patrolling their respective districts and every
24 person so employed shall be paid fifteen cents for each hour
25 of service so rendered by him and be provided with subsist-
26 ence during such period. Deputy forest fire wardens shall

27 perform such duties, at such times and under such rules and
28 regulations, as the said commissioner, or the chief fire warden
29 of the district, with the approval of said commissioner, may
30 prescribe, and they shall receive as compensation two dollars
31 for each and every day of actual service.

Sect. 4. Whenever a fire occurs on, or is likely to do dam-
2 age to forest lands within the district of any chief forest fire
3 warden, he shall take immediate action to control and extin-
4 guish the same. If such fire occurs upon or is likely to do
5 damage to forest lands within the territory of a deputy forest
6 fire warden and the chief fire warden of the district is not
7 present, then and in such case the deputy forest fire warden
8 having jurisdiction of the territory shall forthwith proceed
9 to control and extinguish the same, and he shall meanwhile,
10 with all consistent dispatch, cause the said chief fire warden
11 of the district to be notified of the occurrence of such fire.
12 Until the arrival of the chief warden at the place of fire the
13 deputy warden shall be in charge of the control and extin-
14 guishment of the same. For the purpose of controlling and
15 extinguishing fires as aforesaid chief forest fire wardens, and
16 deputy forest fire wardens when in charge of the control and
17 extinguishment of forest fires or when so directed by the
18 chief warden, may summon to their assistance citizens of any
19 county in which said fire may be, and each person so sum-
20 moned and assisting shall be paid fifteen cents, for each hour
21 of service rendered by him. Immediately after the extin-
22 guishment of a fire the deputy forest fire warden who for any
23 time may have been in charge of the same shall make return
24 to the chief warden of the district of the expense thereof
25 during the period of his being in charge, including the names
26 of the persons so summoned and assisting, with their post-
27 office addresses and the hours of labor actually performed by
28 each under his direction. The return shall be made upon
29 oath and the said chief warden is hereby authorized and

30 empowered to administer such oath. Upon receipt of such
31 return the said chief fire warden shall carefully examine and
32 audit the same and he may direct the deputy to amend and
33 correct any return found to be incomplete, incorrect or insuf-
34 ficient in form. If upon examination and auditing of said
35 return, and investigation of the subject matter thereof, said
36 chief fire warden believes said return to be just and correct,
37 he shall endorse his written approval thereon and forward the
38 same so approved to said forest commissioner. The chief fire
39 warden of every district burned by a forest fire shall, upon
40 the extinguishment of such fire, promptly forward an exact
41 and detailed statement of the expense, if any, which said chief
42 fire warden may have incurred in connection with the extin-
43 guishment of such fire, to the said forest commissioner, who
44 may confirm, reject or recommit either or both said approved
45 return of said deputy or said detailed statement of said chief
46 fire warden if justice so requires.

Sect. 5. All expense incurred under the provisions of this
2 act shall be paid from the funds appropriated to and for the
3 use of the forest commission.

Sect. 6. All acts and parts of acts which are inconsistent
2 with the provisions of this act are hereby repealed.

Sect. 7. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 22, 1905.

Reported by Mr. THOMPSON from Committee on Interior Waters
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*