

# MAINE STATE LEGISLATURE

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**EIGHTIETH LEGISLATURE**

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**SENATE**

**NO. 46**

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In Senate, February 10, 1921.

Referred to Committee on State Lands and Forest Preservation and 500 copies ordered printed. Sent down for concurrence.

L. ERNEST THORNTON, Secretary.

Presented by Senator Farrington of Kennebec.

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**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE**

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AN ACT to Amend Section Fifty-three of Chapter Eight of the Revised Statutes, as Amended by Chapter One Hundred and Eleven of the Public Laws of Nineteen Hundred and Nineteen, Requiring a Permit for the Burning of Brush or Slash Near Woodlands.

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

Section fifty-three of chapter eight of the revised statutes, 2 as amended by chapter one hundred and eleven of the pub- 3 lic laws of nineteen hundred and nineteen, is hereby fur- 4 ther amended by inserting after the word "state" in the 5 third line of said section the following, to wit: 'and all such

6 firms, persons and corporations who by themselves, their  
7 agents, servants, licensees, permittees or lessees, operate  
8 or permit operation of portable saw mills on land which  
9 borders on woodlands,' and by inserting after the word  
10 "road" in the sixth line of said section the following, to  
11 wit: 'or any woodland adjacent to the operation,' and by  
12 inserting after the word "road" in the tenth line of said  
13 section the words 'or of any woodland adjacent to the op-  
14 eration,' so that said section as amended shall read as fol-  
15 lows:

'Sect. 53. Any person, firm, corporation or agent, cut-  
2 ting any forest growth on property adjacent to the right  
3 of way of any railroad or highway within the state, and  
4 all such firms, persons and corporations who by themselves,  
5 their agents, servants, licensees, permittees or lessees, op-  
6 erate or permit operation of portable saw mills on land  
7 which borders on woodlands, shall leave the growth un-  
8 cut on the land within fifty feet of the limit of the right of  
9 way of a railroad or center of the wrought portion of any  
10 plantation, town, city, county or state road, or any wood-  
11 land adjacent to the operation; or shall dispose of slash  
12 and debris caused by cutting in such a manner that inflam-  
13 mable material shall not remain on the ground within  
14 fifty feet of the limit of the right of way of a railroad or  
15 center of the wrought portion of any plantation, town, city,  
16 county or state road, or of any woodland adjacent to the  
17 operation. Provided, however, that consent and direction  
18 in writing from the forestry department shall be required

19 for the burning of such brush or slash except when the  
20 ground is covered with snow. The forest commissioner  
21 shall cause to be furnished to all the chief forest fire war-  
22 dens and to the municipal officers of all towns and organ-  
23 ized plantations of the state, blank permits, signed by him,  
24 for the burning of brush or slash. Any chief forest fire  
25 warden or the municipal officers of the town, in the county  
26 where the land is located, shall have full authority to coun-  
27 tersign and grant such permits signed by the forest com-  
28 missioner. The forest commissioner may, however, in any  
29 particular case called to his attention, overrule the decision  
30 of the chief forest fire warden or the municipal officers,  
31 and himself grant the permit asked for or forbid the grant-  
32 ing of the same. Whoever violates any of the provisions  
33 of this section shall on conviction thereof be punished by  
34 a fine of fifty dollars.'