

# MAINE STATE LEGISLATURE

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**EIGHTIETH LEGISLATURE**

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**SENATE**

**NO. 119**

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In Senate, March 14, 1921.

Reported by Mr. Emerson from Committee on State Lands and Forest Preservation and laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

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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 Chapter Eight of the Revised Statutes as Amended by Chapters One Hundred and Eleven and One Hundred and Sixty-eight of the Public Laws of Nineteen Hundred and Nineteen Requiring a Permit for the Burning of Blueberry Land Adjacent to Forest Growth.

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

Section 1. 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 is hereby amended by inserting after the word "slash" in the twelfth line thereof the words 'or for the burning of

6 blueberry land when such land is adjacent to any forest  
7 growth,' and by inserting after the word "slash" in the fif-  
8 teenth line thereof the words 'or for the burning of blue-  
9 berry land' so that said section as amended shall read as  
10 follows:

'Sect. 53. Any person, firm, corporation or agent, cutting  
2 any forest growth on property adjacent to the right of way  
3 of any railroad or highway within the state, shall leave the  
4 growth uncut on the land within fifty feet of the limit of  
5 the right of way of a railroad or center of the wrought por-  
6 tion of any plantation, town, city, county or state road; or  
7 shall dispose of slash and debris caused by cutting in such a  
8 manner that inflammable material shall not remain on the  
9 ground within fifty feet of the limit of the right of way of  
10 a railroad or center of the wrought portion of any planta-  
11 tion, town, city, county or state road. Provided, however,  
12 that consent and direction in writing from the forestry de-  
13 partment shall be required for the burning of such brush or  
14 slash or for the burning of blueberry land when such land  
15 is adjacent to any forest growth except when the ground is  
16 covered with snow. The forest commissioner shall cause to  
17 be furnished to all the chief forest fire wardens and to the  
18 municipal officers of all towns and organized plantations of  
19 the state, blank permits, signed by him, for the burning of  
20 brush or slash or for the burning of blueberry land. Any  
21 chief forest fire warden or the municipal officers of the  
22 town, in the county where the land is located, shall have

23 full authority to countersign and grant such permits signed  
24 by the forest commissioner. The forest commissioner may,  
25 however, in any particular case called to his attention, over-  
26 rule the decision of the chief forest fire warden or the mu-  
27 nicipal officers, and himself grant the permit asked for or  
28 forbid the granting of the same. Whoever violates any of  
29 the provisions of this section shall on conviction thereof be  
30 punished by a fine of fifty dollars.'

Sect. 2. Chapter eight of the revised statutes as amended by  
2 chapter one hundred and sixty-eight of the public laws of  
3 nineteen hundred and nineteen is hereby amended by insert-  
4 ing after the word "burning" in the third line thereof the  
5 words 'or who desires to burn any blueberry land which lies  
6 adjacent to any forest growth in this state,' so that the  
7 same as amended shall read as follows:

'Any person, firm, corporation or agent who cuts any wood  
2 or lumber within the woodlands of this state and desires to  
3 dispose of the slash and debris caused by such cutting or  
4 clearing by burning or who desires to burn any blueberry  
5 land which lies adjacent to any forest growth in this state  
6 shall be first required to obtain a permit therefor in accord-  
7 ance with the provisions of section fifty-three of chapter  
8 eight of the revised statutes, and on failure thereof shall be  
9 subject to the penalty provided in said section.'