

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 14

House of Representatives, Jan. 25, 1923.

Referred to Committee on State Lands and Forest Preservation in concurrence, and five hundred copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

Presented by Senator Phillips of Hancock.

STATE OF MAINE

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

AN ACT to Amend Section Fifty-three of Chapter Eight of the Revised Statutes as Amended by Chapter One Hundred Eleven of the Public Laws, One Thousand Nine Hundred and Nineteen, and Chapter One Hundred Seventy-four of the Public Laws, One Thousand Nine Hundred and Twenty-one, Relative to the Slash Law.

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 eleven of the public
3 laws, one thousand nine hundred and nineteen, and by chap-
4 ter one hundred seventy-four of public laws, one thousand
5 nine hundred and twenty-one, is hereby amended by strik-

6 ing out the word "center" in the fifth and eighth lines of
7 said section and inserting in place thereof the word 'edge';
8 by adding after the word "road" in the ninth line of said
9 section the following: 'or shall dispose of such slash and
10 debris in such other way as may be approved by the forest
11 commissioner'; by striking out the words "dispose of" in
12 the sixth and fifteenth lines thereof and inserting in place
13 thereof the following words: 'burn all'; by striking out the
14 words "owned by another" in the eleventh line of said
15 section; by adding after the word "woodland" in the seven-
16 teenth line of said section the following: 'or shall dispose
17 of such slash and debris in such other way as may be ap-
18 proved by the forest commissioner. Municipal officers may
19 designate specific areas within which slash constitutes a
20 special menace to camps, mills, or settlements, or for any
21 reason creates an unusually serious hazard, and notify the
22 owner of the land, copy of such notice being sent the for-
23 est commissioner, that all slash and debris within the desig-
24 nated area must be burned so that inflammable material
25 shall not remain on the ground, or disposed of in such
26 other way as may be approved by the forest commissioner';
27 by striking out the words "and to the municipal officers
28 of all towns and organized plantations of the state" in the
29 twenty-third and twenty-fourth lines of said section and
30 inserting in place thereof the words "both within and out-
31 side of the Maine Forestry District"; by striking out the
32 words "or the municipal officers of the town, in the county

33 where the land is located," in the twenty-fifth and twenty-
34 sixth lines of said section, and substituting in place thereof
35 the words 'within the area over which he has jurisdiction';
36 and by striking out the period after the word "same" in
37 the thirty-first line of said section and inserting in place
38 thereof a semicolon and the words 'and he may also, on
39 appeal from the owner concerned, overrule the decision of
40 municipal officers in regard to the disposal in designated
41 areas of slash creating an unusually serious fire hazard';
42 so that said section as amended shall read as 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 edge of the wrought
6 portion of any plantation, town, city, county or state road;
7 or shall burn all slash and debris caused by cutting in such
8 a manner that inflammable material shall not remain on
9 the ground within fifty feet of the limit of the right of
10 way of a railroad or edge of the wrought portion of any
11 plantation, town, city, county or state road, or shall dis-
12 pose of such slash and debris in such other way as may be
13 approved by the forest commissioner. Any person, firm, cor-
14 poration or agent cutting any forest growth on property
15 adjacent to woodlands within the state outside the limits
16 of the Maine Forestry District and all such firms, persons,
17 and corporation, who by themselves, their agents, servants,

18 licensees, permittees or lessees operate, or permit operation
19 of portable sawmills on land which borders on woodland
20 shall burn all slash and debris caused by cutting in such a
21 manner that inflammable material shall not remain on the
22 ground within fifty feet of the line of cutting on the side
23 or sides towards such woodland, or shall dispose of such
24 slash and debris in such other way as may be approved
25 by the forest commissioner. Municipal officers may desig-
26 nate specific areas within which slash constitutes a special
27 menace to camps, mills, or settlements, or for any reason
28 creates an unusually serious hazard, and notify the owner
29 of the land, copy of such notice being sent the forest com-
30 missioner, that all slash and debris within the designated
31 area must be burned so that inflammable material shall not
32 remain on the ground, or disposed of in such other way
33 as may be approved by the forest commissioner. Provided,
34 however, that consent and direction in writing from the
35 forestry department shall be required for the burning of
36 such brush or slash or for the burning of blueberry land
37 when such land is adjacent to any forest growth except
38 when the ground is covered with snow. The forest com-
39 missioner shall cause to be furnished to all the chief forest
40 fire wardens, both within and outside of the Maine For-
41 estry District, blank permits, signed by him, for the burn-
42 ing of brush or slash or for the burning of blueberry land.
43 Any chief forest fire warden within the area over which
44 he has jurisdiction shall have full authority to counter-

45 sign and grant such permits signed by the forest commis-
46 sioner. The forest commissioner may, however, in any
47 particular case called to his attention, overrule the decision
48 of the chief forest fire warden, and himself grant the per-
49 mit asked for or forbid the granting of the same; and he
50 may also, on appeal from the owner concerned, overrule
51 the decision of municipal officers in regard to the disposal
52 in designated areas of slash creating an unusually serious
53 fire hazard. Whoever violates any of the provisions of
54 this section shall on conviction thereof be punished by a
55 fine of fifty dollars.'