

# MAINE STATE LEGISLATURE

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NEW DRAFT

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**EIGHTY-FIRST LEGISLATURE**

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**SENATE**

**NO. 129**

In Senate, Feb. 21, 1923.

Reported by Mr. Putnam from Committee on State Lands and Forest Preservation, and laid on table to be printed and recommitted to the committee.

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-THREE

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AN ACT to Amend Section Twenty-nine of Chapter Eight of the Revised Statutes, as Amended by Chapter Sixty-one of the Public Laws of Nineteen Hundred and twenty-one, Providing for the Appointment of Forest Fire Wardens in Towns.

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

Section twenty-nine of chapter eight of the revised statutes, as amended by chapter sixty-one of the public laws of nineteen hundred and twenty-one, is hereby amended by striking out all of said section and substituting in place thereof the following:

‘Sect. 29. The forest commissioner shall exercise general  
2 supervision over forest fire protection outside of the Maine  
3 Forestry District, and to this end shall establish such for-  
4 est districts as he may deem necessary for effective pro-  
5 tection against loss or damage by fire. He may establish  
6 lookout stations connected by telephone, equip and main-  
7 tain depots for necessary tools for the extinguishment of  
8 forest fires, and cooperate with the town authorities in any  
9 other way in the prevention and control of forest fires.

‘Outside of the Maine Forestry District, the selectmen of  
2 towns, the assessors of plantations, and the mayors of cities  
3 shall appoint annually one chief forest fire warden and  
4 as many deputy forest fire wardens as in their judgment  
5 may be necessary to prevent, control, and extinguish forest  
6 fires. Such appointments shall be reported to the forest  
7 commissioner prior to April first of each year and shall  
8 not be effective until approved by the commissioner. In  
9 case such appointments are not made and approved prior  
10 to April fifteenth of each year, the forest commissioner  
11 shall appoint said chief forest fire wardens and deputy for-  
12 est fire wardens, and such appointments shall have the same  
13 force and effect as if made by the selectmen, assessors, or  
14 mayor of the town, plantation, or city concerned. Chief  
15 forest fire wardens shall have general supervision of the  
16 forest fire protection work, including the enforcement of  
17 the slash law, within their respective towns, plantations and  
18 cities, and of the deputy forest fire wardens therein. Chief

19 forest fire wardens shall receive from the town as com-  
20 pensation four dollars for each and every day of actual  
21 service, with an allowance for actual necessary expenses of  
22 travel and subsistence. Deputy forest fire wardens shall  
23 perform such duties as the chief forest fire wardens may  
24 prescribe and shall receive from the town as compensation  
25 three dollars for each and every day of actual service, with  
26 an allowance for actual necessary expenses of travel, and  
27 subsistence, except that when in charge of fire fighting op-  
28 erations they shall be paid at the rate of thirty-five cents  
29 for each hour of actual service and be provided with sub-  
30 sistence during such service.

‘Whenever a forest fire is discovered, chief forest fire  
2 wardens and deputy forest fire wardens shall at once take  
3 such measures as may be necessary for its control and ex-  
4 tinguishment. For this purpose they may call upon any  
5 persons in the town for assistance, and such persons shall  
6 receive such compensation, not exceeding thirty cents for  
7 each hour of service rendered by them, as the selectmen,  
8 assessors, or mayors may determine, and shall be provided  
9 with subsistence during such service, the same to be paid  
10 by the town, plantation, or city, provided that any expendi-  
11 ture for extinguishing forest fires in any calendar year in  
12 excess of one per cent of the assessed valuation of the town,  
13 plantation, or city shall be paid from the state contingent  
14 fund. If any person so ordered to assist and not excused  
15 from said service by the chief forest fire warden or deputy

16 forest fire warden on account of sickness, disability, or  
17 other valid reason, shall neglect to comply with such order  
18 he shall be subject to a fine of ten dollars.

‘If any chief forest fire warden or deputy forest fire  
2 warden shall be negligent of his duties as prescribed in this  
3 section, he may be summarily removed by the forest com-  
4 missioner. Furthermore, if any person shall suffer dam-  
5 age from fire in consequence of the negligence or neglect  
6 of the fire wardens of any town, plantation, or city to per-  
7 form the duties required by this section, such person shall  
8 have an action on the case to recover from the town, plan-  
9 tation, or city where the fire occurs to the amount of his  
10 damages so sustained not to exceed two per cent of the  
11 assessed valuation of said town, plantation, or city.’