

MAINE STATE LEGISLATURE

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CHAPTER 215

FIRE PREVENTION AND PROTECTION

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SUBCHAPTER I

CLOSING OR RESTRICTING FOREST USE

Sec.	
1151.	Proclamation by Governor.
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§ 1151. Proclamation by Governor

Whenever, during periods of drought, it shall appear to the Governor that hunting or fishing is likely to be a menace to the forests of this State, he may by proclamation suspend the open season for hunting or fishing for such time and in such sections of the State as he may in such proclamation designate, or prohibit smoking or building fires out-of-doors in the woods for any such time and sections. The type and manner of fishing prohibited shall be designated in the proclamation and public camp sites maintained by the Forestry Department shall not be closed.

R.S.1954, c. 36, § 105.

§ 1152. —Posting and publishing

Such proclamation shall be published in such newspapers of the State and posted in such places as the Governor deems necessary and a copy of such proclamation shall be filed with the Sec-

retary of State. A like attested copy shall be furnished to the Forest Commissioner, who shall attend to the posting and publication of the proclamation. All expense thereof and all the expense of enforcing the proclamation shall be paid by said commissioner, after allowance by the State Controller, from the appropriation for general forestry purposes.

R.S.1954, c. 36, § 106.

§ 1153. —Annulment

If after issuing the proclamation provided for in section 1151, by reason of rains or otherwise, the Governor is satisfied that the occasion for the issuance of the proclamation has passed, he may annul it by another proclamation affecting the sections covered by the original proclamation, or any part thereof, which said proclamation shall be published and posted in the same manner as provided for the issuance of the original proclamation.

R.S.1954, c. 36, § 107.

§ 1154. —Failure to observe

Whoever, while the proclamation provided for in section 1151 is in effect, violates any provision thereof shall be punished by a fine of not less than \$10 nor more than \$100, and costs for each offense.

R.S.1954, c. 36, § 108.

SUBCHAPTER II

FORESTRY DISTRICT

Sec.

1201. Designation.

1202. Adjacent town or plantation as part of district.

1203. Control and extinguishment of fires; lookout stations.

§ 1201. Designation

The administrative district known as the Maine Forestry District, heretofore established and incorporated, shall include the following territory:

Aroostook County. Township A, R. 2, W. E. L. S.; Hammond Plantation; C, R. 2, W. E. L. S.; D, R. 2, W. E. L. S.; E Plantation; 3, R. 2, W. E. L. S.; Cox Patent; Reed Plantation;

Glenwood Plantation; 3, R. 3, W. E. L. S.; 4, R. 3, W. E. L. S.; 7, R. 3, W. E. L. S.; 8, R. 3, W. E. L. S.; 9, R. 3, W. E. L. S.; 10, R. 3, W. E. L. S.; 17, R. 3, W. E. L. S.; Macwahoc Plantation; 1, R. 4, W. E. L. S.; 2, R. 4, W. E. L. S.; 3, R. 4, W. E. L. S.; 7, R. 4, W. E. L. S.; 8, R. 4, W. E. L. S.; 9, R. 4, W. E. L. S.; 10, R. 4, W. E. L. S.; 11, R. 4, W. E. L. S.; Westmanland Plantation; 16, R. 4, W. E. L. S.; 17, R. 4, W. E. L. S.; A, R. 5, W. E. L. S.; 1, R. 5, W. E. L. S.; Silver Ridge Township; 7, R. 5, W. E. L. S.; 8, R. 5, W. E. L. S.; 9, R. 5, W. E. L. S.; 13, R. 5, W. E. L. S.; 14, R. 5, W. E. L. S.; 15, R. 5, W. E. L. S.; 16, R. 5, W. E. L. S.; 17, R. 5, W. E. L. S.; Oxbow Plantation; 10, R. 6, W. E. L. S.; Garfield Plantation; Nashville Plantation; 14, R. 6, W. E. L. S.; 15, R. 6, W. E. L. S.; 16, R. 6, W. E. L. S.; 9, R. 7, W. E. L. S.; 10, R. 7, W. E. L. S.; 11, R. 7, W. E. L. S.; 12, R. 7, W. E. L. S.; 13, R. 7, W. E. L. S.; 14, R. 7, W. E. L. S.; Winterville Plantation; Wallagrass Plantation; 9, R. 8, W. E. L. S.; 10, R. 8, W. E. L. S.; 11, R. 8, W. E. L. S.; 12, R. 8, W. E. L. S.; 13, R. 8, W. E. L. S.; 14, R. 8, W. E. L. S.; 15, R. 8, W. E. L. S.; 16, R. 8, W. E. L. S.; 11, R. 9, W. E. L. S.; 12, R. 9, W. E. L. S.; 13, R. 9, W. E. L. S.; 14, R. 9, W. E. L. S.; 15, R. 9, W. E. L. S.; 16, R. 9, W. E. L. S.; 11, R. 10, W. E. L. S.; 12, R. 10, W. E. L. S.; 13, R. 10, W. E. L. S.; 14, R. 10, W. E. L. S.; 15, R. 10, W. E. L. S.; Allagash Plantation; 18, R. 10, W. E. L. S.; 11, R. 11, W. E. L. S.; 12, R. 11, W. E. L. S.; 13, R. 11, W. E. L. S.; 14, R. 11, W. E. L. S.; 15, R. 11, W. E. L. S.; 18, R. 11, W. E. L. S.; 19, R. 11, W. E. L. S.; 11, R. 12, W. E. L. S.; 12, R. 12, W. E. L. S.; 13, R. 12, W. E. L. S.; 14, R. 12, W. E. L. S.; 15, R. 12, W. E. L. S.; 16, R. 12, W. E. L. S.; 17, R. 12, W. E. L. S.; 18, R. 12, W. E. L. S.; 19, R. 12, W. E. L. S.; 20, R. 11 and 12, W. E. L. S.; 11, R. 13, W. E. L. S.; 12, R. 13, W. E. L. S.; 13, R. 13, W. E. L. S.; 14, R. 13, W. E. L. S.; 15, R. 13, W. E. L. S.; 16, R. 13, W. E. L. S.; 17, R. 13, W. E. L. S.; 18, R. 13, W. E. L. S.; 11, R. 14, W. E. L. S.; 12, R. 14, W. E. L. S.; 13, R. 14, W. E. L. S.; 14, R. 14, W. E. L. S.; 15, R. 14, W. E. L. S.; 16, R. 14, W. E. L. S.; 17, R. 14, W. E. L. S.; 11, R. 15, W. E. L. S.; 12, R. 15, W. E. L. S.; 13, R. 15, W. E. L. S.; 14, R. 15, W. E. L. S.; 15, R. 15, W. E. L. S.; 11, R. 16, W. E. L. S.; 12, R. 16, W. E. L. S.; 13, R. 16, W. E. L. S.; 14, R. 16, W. E. L. S.; 11, R. 17, W. E. L. S.; 12, R. 17, W. E. L. S.; in Aroostook County.

Franklin County. Township Number 4, Washington Plantation; Freeman Township; Salem Township; Sandy River Plantation; Rangeley Plantation; 4, R. 1, B. K. P., W. K. R.; 4, R. 2, B. K. P., W. K. R.; 4, R. 3, B. K. P., W. K. R.; D, R. 1; 1, R. 2, W. B. K. P.; Dallas Plantation; Coplin Plantation; Lang Plantation; 3, R. 3, W. B. K. P.; 3, R. 2, B. K. P., W. K. R.; 2, R. 4, W. B.

K. P.; 3, R. 4, W. B. K. P.; 1, R. 5, W. B. K. P.; 2, R. 5, W. B. K. P.; 3, R. 5, W. B. K. P.; 1, R. 6, W. B. K. P.; 2, R. 6, W. B. K. P.; 3, R. 6, W. B. K. P.; 1, R. 7, W. B. K. P.; 2, R. 7, W. B. K. P.; 1, R. 8, W. B. K. P.; 2, R. 8, W. B. K. P.; Gore north of T. numbers 2 and 3, R. 6, W. B. K. P.; number 6 north of Weld; Gore north of T. 1, R. 8, W. B. K. P.; Township E; Perkins; in Franklin County.

Hancock County. Township No. 3, North Division; No. 4, North Division; Two Mile Strip North of No. 3, North Division; Strip North of No. 4, North Division; No. 7, South Division; No. 8 Plantation; No. 9, South Division; No. 10, South Division; No. 16, Middle Division; No. 21 Plantation; No. 22, Middle Division; No. 28, Middle Division; No. 32, Middle Division; No. 33 Plantation; No. 34, Middle Division; No. 35, Middle Division; No. 39, Middle Division; No. 40, Middle Division; No. 41, Middle Division; Butter Island; Eagle Island; Spruce Head Island; Bear Island; Beach Island; Hog Island; Bradbury's Island; Pond Island; Western Island; Little Spruce Island; Marshall's Island; Pickering's Island; Resolution Island; in Hancock County.

Oxford County. Albany Township; Mason Township; T. A, Number 1; Andover North Surplus; Andover West Surplus; T. C.; C. Surplus; 4, R. 1, W. B. K. P.; Magalloway Plantation; 4, R. 2, W. B. K. P.; Lincoln Plantation; 4, R. 3, W. B. K. P.; 5, R. 3, W. B. K. P.; 4, R. 4, W. B. K. P.; 5, R. 4, W. B. K. P.; 4, R. 5, W. B. K. P.; 4, R. 6, W. B. K. P.; 5, R. 5, W. B. K. P.; the Township of Grafton, in Oxford County.

Penobscot County. Township 3, E. 1, N. B. P. P.; Lakeville Plantation; 5, R. 1, N. B. P. P.; Webster Plantation; Kingman Township; Drew Plantation; Medway; 1, R. 7, N. W. P.; 2, R. 8, N. W. P.; Seboeis Plantation; 2, R. 9, N. W. P.; 3, R. 9, N. W. P.; 1, R. 6, W. E. L. S.; 2, R. 6, W. E. L. S.; 6, R. 6, W. E. L. S.; 7, R. 6, W. E. L. S.; 8, R. 6, W. E. L. S.; A, R. 7, W. E. L. S.; 1, R. 7, W. E. L. S.; 2, R. 7, W. E. L. S.; 3, R. 7, W. E. L. S.; 4, R. 7, W. E. L. S.; 5, R. 7, W. E. L. S.; 6, R. 7, W. E. L. S.; 7, R. 7, W. E. L. S.; 8, R. 7, W. E. L. S.; Hopkins Academy grant; 8, R. 8, W. E. L. S.; A, R. 8 and 9, W. E. L. S.; Veazie Gore; number 3, Indian purchase; number 4, Indian purchase; 1, R. 8, W. E. L. S.; 2, R. 8, W. E. L. S.; 3, R. 8, W. E. L. S.; 4, R. 8, W. E. L. S.; 5, R. 8, W. E. L. S.; 6, R. 8, W. E. L. S.; 7, R. 8, W. E. L. S.; number 1, North Division; Grand Falls Plantation; in Penobscot County.

Piscataquis County. Orneville Township; Medford Township; Lakeview Plantation; Williamsburg Township; Barnard

Plantation; Bowerbank; 4, R. 9, N. W. P.; 5, R. 9, N. W. P.; 6, R. 9, N. W. P.; 7, R. 9, N. W. P.; Elliottsville Plantation; 3, R. 5, B. K. P., E. K. R.; 2, R. 6, B. K. P., E. K. R.; 1, R. 9, W. E. L. S.; 2, R. 9, W. E. L. S.; 3, R. 9, W. E. L. S.; 4, R. 9, W. E. L. S.; 5, R. 9, W. E. L. S.; 6, R. 9, W. E. L. S.; 7, R. 9, W. E. L. S.; 8, R. 9, W. E. L. S.; 9, R. 9, W. E. L. S.; 10, R. 9, W. E. L. S.; A, R. 10, W. E. L. S.; B, R. 10, W. E. L. S.; 1, R. 10, W. E. L. S.; 2, R. 10, W. E. L. S.; 3, R. 10, W. E. L. S.; 4, R. 10, W. E. L. S.; 5, R. 10, W. E. L. S.; 6, R. 10, W. E. L. S.; 7, R. 10, W. E. L. S.; 8, R. 10, W. E. L. S.; 9, R. 10, W. E. L. S.; 10, R. 10, W. E. L. S.; A, R. 11, W. E. L. S.; B, R. 11, W. E. L. S.; 1, R. 11, W. E. L. S.; 2, R. 11, W. E. L. S.; 3, R. 11, W. E. L. S.; 4, R. 11, W. E. L. S.; 5, R. 11, W. E. L. S.; 6, R. 11, W. E. L. S.; 7, R. 11, W. E. L. S.; 8, R. 11, W. E. L. S.; 9, R. 11, W. E. L. S.; 10, R. 11, W. E. L. S.; 7, R. 10, N. W. P.; 8, R. 10, N. W. P.; A, R. 12, W. E. L. S.; 1, R. 12, W. E. L. S.; 2, R. 12, W. E. L. S.; 3, R. 12, W. E. L. S.; 4, R. 12, W. E. L. S.; 5, R. 12, W. E. L. S.; 6, R. 12, W. E. L. S.; 7, R. 12, W. E. L. S.; 8, R. 12, W. E. L. S.; 9, R. 12, W. E. L. S.; 10, R. 12, W. E. L. S.; A, R. 13, W. E. L. S.; A 2, R. 13 and 14, W. E. L. S.; 1, R. 13, W. E. L. S.; 2, R. 13, W. E. L. S.; 3, R. 13, W. E. L. S.; 4, R. 13, W. E. L. S.; 5, R. 13, W. E. L. S.; 6, R. 13, W. E. L. S.; 7, R. 13, W. E. L. S.; 8, R. 13, W. E. L. S.; 9, R. 13, W. E. L. S.; 10, R. 13, W. E. L. S.; A, R. 14, W. E. L. S.; X, R. 14, W. E. L. S.; 3, R. 14 and 15, W. E. L. S.; 1, R. 14, W. E. L. S.; 4, R. 14, W. E. L. S.; 5, R. 14, W. E. L. S.; 6, R. 14, W. E. L. S.; 7, R. 14, W. E. L. S.; 8, R. 14, W. E. L. S.; 9, R. 14, W. E. L. S.; 10, R. 14, W. E. L. S.; East Middlesex canal; Day's academy; 4, R. 15, W. E. L. S.; 5, R. 15, W. E. L. S.; 6, R. 15, W. E. L. S.; 7, R. 15, W. E. L. S.; 8, R. 15, W. E. L. S.; 9, R. 15, W. E. L. S.; 10, R. 15, W. E. L. S.; all islands in Moosehead Lake; Cove Point; Harford's Point; Kingsbury Plantation; in Piscataquis County.

Somerset County. Concord Township; Lexington Plantation; Pleasant Ridge Plantation; Highland Plantation; 1, R. 3, B. K. P., W. K. R.; 2, R. 3, B. K. P., W. K. R.; Dead River Plantation; Bigelow Plantation; 1, R. 4, B. K. P., W. K. R.; 2, R. 4, B. K. P., W. K. R.; 3, R. 4, B. K. P., W. K. R.; Flagstaff Plantation; West Forks Plantation; 2, R. 5, B. K. P., W. K. R.; 3, R. 5, B. K. P., W. K. R.; 4, R. 5, B. K. P., W. K. R.; 1, R. 6, B. K. P., W. K. R.; 2, R. 6, B. K. P., W. K. R.; 3, R. 6, B. K. P., W. K. R.; 4, R. 6, B. K. P., W. K. R.; 5, R. 6, B. K. P., W. K. R.; 1, R. 7, B. K. P., W. K. R.; 2, R. 7, B. K. P., W. K. R.; 3, R. 7, B. K. P., W. K. R.; 4, R. 7, B. K. P., W. K. R.; 5, R. 7, B. K. P., W. K. R.; 6, R. 7,

B. K. P., W. K. R.; Gore North of numbers 1, 2, 3, R. 7, B. K. P., W. K. R.; Mayfield Plantation; Moscow; 2, R. 3, B. K. P., E. K. R.; Caratunk Plantation; The Forks Plantation; 2, R. 4, B. K. P., E. K. R.; 1, R. 5, B. K. P., E. K. R.; 2, R. 5, B. K. P., E. K. R.; 1, R. 6, B. K. P., E. K. R.; 1, R. 1, N. B. K. P. (Rockwood Strip); 1, R. 1, N. B. K. P. (Taunton and Raynham); 2, R. 1, N. B. K. P. (Rockwood Strip); 2, R. 1, N. B. K. P. (Sandwich Academy Grant); 3, R. 1, N. B. K. P.; 5, R. 1, N. B. K. P.; 6, R. 1, N. B. K. P.; 1, R. 2, N. B. K. P.; 2, R. 2, N. B. K. P.; 3, R. 2, N. B. K. P.; Moose River Plantation; Dennistown Plantation; 6, R. 2, N. B. K. P.; Big W, N. B. K. P.; Little W, N. B. K. P.; 1, R. 3, N. B. K. P.; 2, R. 3, N. B. K. P.; 3, R. 3, N. B. K. P.; 4, R. 3, N. B. K. P.; 5, R. 3, N. B. K. P.; Seboomook; 1, R. 4, N. B. K. P.; 2, R. 4, N. B. K. P.; 3, R. 4, N. B. K. P.; 4, R. 4, N. B. K. P.; 5, R. 4, N. B. K. P.; 3, R. 5, N. B. K. P.; 4, R. 5, N. B. K. P.; 4, R. 16, W. E. L. S.; 5, R. 16, W. E. L. S.; 6, R. 16, W. E. L. S.; 7, R. 16, W. E. L. S.; 8, R. 16, W. E. L. S.; 9, R. 16, W. E. L. S.; 10, R. 16, W. E. L. S.; 4, R. 17, W. E. L. S.; 5, R. 17, W. E. L. S.; 6, R. 17, W. E. L. S.; 7, R. 17, W. E. L. S.; 8, R. 17, W. E. L. S.; 9, R. 17, W. E. L. S.; 10, R. 17, W. E. L. S.; 4, R. 18, W. E. L. S.; 5, R. 18, W. E. L. S.; 6, R. 18, W. E. L. S.; 7, R. 18, W. E. L. S.; 8, R. 18, W. E. L. S.; 9, R. 18, W. E. L. S.; 5, R. 19, W. E. L. S.; 6, R. 19, W. E. L. S.; 7, R. 19, W. E. L. S.; 8, R. 19, W. E. L. S.; 5, R. 20, W. E. L. S.; Sand Bar Tract; in Somerset County.

Washington County. Trescott Township; Edmunds Township; Marion Township; Cooper; Township No. 18, East Division; No. 19, East Division; Crawford; Centerville; Northfield; Wesley; No. 26, East Division; No. 27, East Division; Topsfield Township; Brookton Township; Deblois; No. 18, Middle Division; No. 19, Middle Division; Beddington; No. 24, Middle Division; No. 25, Middle Division; No. 29, Middle Division; No. 30, Middle Division; No. 31, Middle Division; No. 36, Middle Division; No. 37, Middle Division; No. 42, Middle Division; No. 43, Middle Division; No. 5, North Division; strip north of No. 5, North Division; No. 6, North Division; strip north of No. 6, North Division; No. 1, R. 1, Titcomb's survey; Grand Lake Stream Plantation; 1, R. 2, Titcomb's survey; 1, R. 3, Titcomb's survey; 6, R. 1, N. B. P. P.; 7, R. 2, N. B. P. P.; 8, R. 3, N. B. P. P.; 9, R. 4, N. B. P. P.; 10, R. 3, N. B. P. P.; 11, R. 3, N. B. P. P.; 8, R. 4, N. B. P. P.; Indian Township; Codyville Plantation; No. 14 Plantation; No. 21 Plantation; in Washington County.

Whenever it shall appear to the State Tax Assessor that any part of the unorganized territory of the State, including any

areas previously incorporated but which have been deorganized by Act of the Legislature, is in need of fire protection, the State Tax Assessor with the approval of the Forest Commissioner and the Attorney General may declare such territory to be a part of the Maine Forestry District.

R.S.1954, c. 36, § 95.

§ 1202. Adjacent town or plantation as part of district

Any incorporated town or organized plantation adjoining any part of the Maine Forestry District may, by vote at any meeting of its inhabitants duly called and held, become a part of said Forestry District and subject to all the provisions of this subchapter, and subchapter IV and X. A copy of such vote, certified by the town clerk or plantation assessors, shall be forwarded forthwith to the State Tax Assessor, to the Treasurer of State and to the commissioner, and from the time such certified copy is filed in the office of the Treasurer of State, the town or plantation so voting shall be and continue a part of said Forestry District. All incorporated towns or organized plantations which shall become a part of said district and all officers of such towns or plantations shall be and are exempt from the duties and obligations imposed by Title 25, chapter 319.

R.S.1954, c. 36, § 111.

§ 1203. Control and extinguishment of fires; lookout stations

The commissioner shall take measures for the prevention, control and extinguishment of forest fires in said Forestry District, and to this end he shall establish such subforestry districts as he may deem necessary for effective protection against loss or damage by fire. He may establish lookout stations connected by telephone and equip and maintain depots for necessary tools for the extinguishment of forest fires, and for the purposes mentioned in this section only may construct and maintain trails and roads, and may assume the maintenance, operation and utilization of forest truck-trails, built for the purpose of preventing and suppressing forest fires, constructed by the Civilian Conservation Corps or other agency of the United States Government.

R.S.1954, c. 36, § 101.

SUBCHAPTER III

LOCAL CONTROL

Sec.

- 1251. Purpose.
- 1252. Fire control districts; sale of former warden headquarter site.
- 1253. State fire wardens.
- 1254. Duties of state wardens and subdistrict wardens.
- 1255. Control and extinguishment of forest fires.
- 1256. Coordinating protective agencies.

§ 1251. Purpose

The purpose of this subchapter is to place forest fire control under the Forestry Department for the entire State. This is a step-up plan from present state cooperation with towns to provide state forest fire control in all organized municipalities. This will give incorporated areas, as well as the Maine Forestry District, an unbroken chain of command from town forest fire warden to Forest Commissioner. A maximum amount of responsibility and authority will remain with each local community. This subchapter will provide state authority whenever the town system breaks down.

R.S.1954, c. 36, § 89.

§ 1252. Fire control districts; sale of former warden headquarter site

The commissioner shall be responsible for the prevention, control and extinguishment of forest fires in all areas of the State. He shall divide the organized municipalities of the State, outside the limits of the Maine Forestry District, into major forest fire control districts. The major districts shall be subdivided into as many smaller units as deemed necessary for effective protection against loss or damage by forest fires. The commissioner may establish lookout stations connected by telephone or radio, and construct, equip and maintain office-storehouse headquarters for necessary supplies, tools and equipment and provide for any other construction essential for forest fire prevention and control work.

The commissioner, with the approval of the Governor and Council, may sell to the highest bidder after advertising, any warden headquarter site not being used or deemed no longer

necessary for such purposes. Sites no longer useful and obtained without cost shall be returned to the previous owners, with no charge.

R.S.1954, c. 36, § 90; 1955, c. 137.

§ 1253. State fire wardens

The commissioner shall appoint an organized town forest fire supervisor, a full-time state forest fire warden for each major district and seasonal state forest fire wardens for each sub-district and such others as in his judgment may be required to carry out this subchapter. All appointed state forest fire wardens shall hold office during the pleasure of the commissioner, under rules of the Personnel Law. They shall be sworn to the faithful discharge of their duties and a certificate thereof shall be returned and filed in the office of the commissioner.

R.S.1954, c. 36, § 91.

§ 1254. Duties of state wardens and subdistrict wardens

1. State district forest fire wardens. The state district forest fire wardens, under the direction of the commissioner, shall have supervision of state personnel and equipment in their respective districts for the prevention, control and extinguishment of forest fires. They shall enforce all laws relating to forests and forest preservation, and cause to arrest all violators thereof; prosecute all offenses against the same and in this connection shall have the same power to serve criminal processes against such offenders as a sheriff or his deputy and shall have and enjoy the same rights as a sheriff to require aid in executing the duties of his office.

They shall be responsible for carrying out a program of forest fire prevention-education, such as the preparation and distribution of material and contacting individuals and groups to gain cooperation of the people. They shall conduct forest fire training schools on all command levels in their districts for town forest fire wardens, paid and volunteer fire departments, sawmill crews, highway crews, construction crews, college and high school students, and other interested groups. All training shall be conducted in accordance with the state forest fire plan. This will make trained men useful in an emergency on a forest fire anywhere within the State.

They shall be required to prepare and revise annually a forest fire plan for their districts. District forest fire plans shall provide for inspection of cutting operations, primary wood-using

portable sawmills and town dumps; include a forest fire map; lists of emergency manpower and equipment reserves; and a list of job assignments for all district personnel. They shall correlate town forest fire plans with that of their district. They shall carry out any other duties pertinent to their work including reports assigned to them by the commissioner.

They shall receive such compensation for each and every day as determined by the commissioner, with approval of the Personnel Board, with allowance for actual necessary expenses of travel.

2. Seasonal forest fire wardens. Seasonal forest fire wardens shall be responsible to their district state forest fire warden and at such times and under such rules and regulations as the commissioner or their state district forest fire warden may prescribe, and each shall receive compensation for each and every day as determined by the commissioner, with approval of the Personnel Board, with allowance for actual necessary expenses of travel.

R.S.1954, c. 36, § 92.

§ 1255. Control and extinguishment of forest fires

State and town forest fire wardens shall take immediate charge to control and extinguish forest fires, using and coordinating all forest fire protection facilities at their disposal. The management of town forest fires shall be the responsibility of the town forest fire warden until in the judgment of a state forest fire warden the situation makes it advisable for him to take over. Final authority and responsibility on forest fires shall be that of the state forest fire warden. Town fire department personnel and equipment are an important part of the state forest fire plan. They shall not be moved within or outside town limits except with the approval of the fire chief or proper town official. Such officials shall have the authority to determine whether town fire department personnel or equipment is needed on a forest fire or to protect buildings.

State forest fire wardens shall have the authority to set backfires to extinguish a forest fire actually burning.

R.S.1954, c. 36, § 93.

§ 1256. Coordinating protective agencies

The Forestry Department shall formulate emergency plans of action to establish manpower pools, equipment reserves, fa-

cilities for feeding, transportation and communication on forest fires. In preparing the plan other agencies and organizations having needed facilities should be contacted such as fire chiefs, Red Cross, sheriffs, American Legion, State Police, National Guard, State Highway, State Fish and Game Department, State Grange, colleges, civil air patrol and any other protective group so determined by the commissioner. Whenever or wherever a major forest fire occurs or threatens, the department shall be the coordinating agency until the Governor declares an emergency.

R.S.1954, c. 36, § 94.

SUBCHAPTER IV

FIRE WARDENS

Sec.

1301. Appointment; chief; deputy; tenure.

1302. Duties; assistants.

1303. Control and extinguishment of fires; assistance; expenses; report.

§ 1301. Appointment; chief; deputy; tenure

The commissioner shall appoint in and for each of the sub-forestry districts a chief forest fire warden and such number of deputy forest fire wardens as in his judgment may be required to carry out this subchapter and subchapters II and X, assigning to each of the latter the territory over and within which he shall have jurisdiction. All chief and deputy forest fire wardens, so appointed, shall hold office during the pleasure of the commissioner. They shall be sworn to the faithful discharge of their duties and a certificate thereof shall be returned to the office of the commissioner.

R.S.1954, c. 36, § 102.

§ 1302. Duties; assistants

The chief forest fire wardens, under the direction of the commissioner, shall have general supervision of their respective districts and of the deputy forest fire wardens therein. Each chief forest fire warden, when directed by the commissioner, shall patrol the forests of his district for the purpose of searching out, extinguishing and guarding against forest fires. He shall investigate and gather evidence regarding the causes of forest fires,

enforce all laws relating to forests and forest preservation, arrest all violators thereof, prosecute all offenses against the same, and in this connection shall have the same power to serve criminal processes against such offenders and shall be allowed the same fee as a sheriff or his deputy for like services, and shall have and enjoy the same right as a sheriff to require aid in executing the duties of his office. The chief forest fire wardens shall perform such other duties, at such times, and under such rules and regulations as the said commissioner may prescribe, and each shall receive as compensation an amount set by said commissioner, with the approval of the Governor and Council, for each and every day of actual service, with an allowance for actual necessary expenses of travel. Deputy forest fire wardens shall perform such duties, at such times and under such rules and regulations, as the commissioner, or the chief fire warden of the district with the approval of the commissioner, may prescribe. They shall receive as compensation an amount set by said commissioner, with the approval of the Governor and Council, for each and every day of actual service, with an allowance for actual necessary expenses of travel.

R.S.1954, c. 36, § 103.

§ 1303. Control and extinguishment of fires; assistance; expenses; report

Whenever a fire occurs on or is likely to do damage to forest lands within the district of any chief forest fire warden, he shall take immediate action to control and extinguish the same. If such fire occurs upon or is likely to do damage to forest lands within the territory of a deputy forest fire warden and the chief fire warden of the district is not present, the deputy forest fire warden having jurisdiction of the territory shall forthwith proceed to control and extinguish the same, and he shall meanwhile, with all consistent dispatch, cause the said chief fire warden of the district to be notified of the occurrence of such fire. Until the arrival of the chief warden at the place of fire, the deputy warden shall be in charge of the control and extinguishment of the same. For the purpose of controlling and extinguishing fires, chief forest fire wardens and deputy forest fire wardens, when in charge of the control and extinguishment of forest fires or when so directed by the chief warden, may summon to their assistance any person found within the State and each person so summoned and assisting shall be paid at a rate set by the commissioner with the approval of the Governor and Council and

be provided with subsistence during such service. Immediately after the extinguishment of a fire, the deputy forest fire warden, who for any time may have been in charge of the same, shall make return to the chief warden of the district of the expense thereof during the period of his being in charge, including the names of the persons so summoned and assisting, with their post-office addresses and the hours of labor actually performed by each under his direction. The return shall be made upon oath and the chief warden is authorized and empowered to administer such oath. Upon receipt of such return, the chief fire warden shall carefully examine and audit the same, and he may direct the deputy to amend and correct any return found to be incomplete, incorrect or insufficient in form. If upon examination and auditing of said return and investigation of the subject matter thereof, the chief fire warden believes said return to be just and correct, he shall indorse his written approval thereon and forward the same so approved to the commissioner. The chief fire warden of every district burned by a forest fire shall, upon the extinguishment of such fire, promptly forward an exact and detailed statement of the expense, if any, which he may have incurred in connection with the extinguishment of such fire, to the commissioner, who may confirm, reject or recommit, either or both, the approved return of said deputy or the detailed statement of the chief fire warden, if justice so requires.

R.S.1954, c. 36, § 104.

SUBCHAPTER V

DUMPS

Sec.

- 1351. Hazard clearance.
- 1352. Closing for violations.
- 1353. Deposits on other's land forbidden.
- 1354. Penalties.

§ 1351. Hazard clearance

Any town or private dump within the State established and maintained for the disposal of waste, rubbish or debris of any nature which might facilitate either the origin or spread of forest fires shall observe the following prevention measures: A cleared strip 10 feet wide to mineral soil must be constructed on all sides of the dump, except when bordering on or near a large constant

supply of water sufficient for protection to be determined by state and town forest fire wardens; all grass, weeds, slash, brush and debris and other inflammable material shall be removed for a distance of 100 feet in all directions from the cleared mineral soil strip; live trees need not be removed except that dead and green branches of conifers or evergreen trees shall be pruned to a height of 10 feet above the ground; dead snags shall be removed. Dumps without a nearby supply of water shall be provided with piles of sand or barrels filled with water and shall be equipped with a tool box containing 2 pails, 2 axes and 2 shovels or any other hand tools deemed necessary by the town forest fire warden during the forest fire season. During periods of high forest fire hazard if a dump is burning municipal officers of towns and plantations shall maintain a guard or watchman at such dumps.

R.S.1954, c. 36, § 85.

§ 1352. Closing for violations

Such town or private dumps within the State not carrying out this subchapter shall be posted as "Closed to Dumping" by town forest fire warden, the commissioner or his representatives. Thereafter no person shall deposit refuse of any kind within, along the road or adjacent to such closed dump.

R.S.1954, c. 36, § 85.

§ 1353. Deposits on other's land forbidden

No person shall deposit refuse of any kind on land not his own without the consent of the owner or the public authority having custody or maintenance responsibility of such land.

R.S.1954, c. 36, § 85.

§ 1354. Penalties

Any person violating this subchapter shall be subject to a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 30 days, or by both.

R.S.1954, c. 36, § 85.

SUBCHAPTER VI

KINDLING OUT-OF-DOOR FIRES

Sec.

1401. Restrictions.

1402. Permits.

1403. Penalties.

§ 1401. Restrictions

No person shall kindle or use fires on land of another without permission of the owner, except at public camp sites and lunch grounds maintained or authorized by the Forestry Department, or when the ground is covered with snow. Out-of-door fires include the use of sterno, gasoline, charcoal or other fuel fires in or out of tents and collapsible shelters, but such fuels may be used at state highway picnic areas. This subchapter shall not apply to the authority of state forest fire wardens to set back-fires to control a going forest fire.

1955, c. 406, § 1.

§ 1402. Permits

To better accommodate recreational and sporting users of the woods and to prevent forest fires in the Maine Forestry District, the commissioner or his representatives are authorized to issue permits for out-of-door fires and camping, except on areas that the majority ownerships of any given area may withdraw at any time in writing to the commissioner. Persons issued permits are in no way relieved of legal responsibility if their fires escape and cause damage to property. When forest fire conditions become serious, the commissioner or his representatives may declare void permits already issued. Forest fire danger indexes will be used as a basis of determining when forest fire conditions are safe to issue permits. Heavy use areas will, of necessity, be serviced by public camp sites and lunch grounds instead of individual permits.

1955, c. 406, § 1.

§ 1403. Penalties

Whosoever violates this subchapter shall on conviction be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or by both. All fines, penalties, warden

costs, and all other moneys collected by the court shall be paid to the Treasurer of State and credited to the district for forest fire purposes.

1955, c. 406, § 1.

SUBCHAPTER VII

RAILROADS

Sec.

- 1451. Patrol along tracks.
- 1452. Report of fires.
- 1453. Expense of fire patrol paid by railroad.
- 1454. Liability of railroad not affected.
- 1455. Removal of inflammable material.
- 1456. Spark arresters for locomotives.
- 1457. Liability for damage by employees; window screens.
- 1458. Damage to forest growth during construction; extinguishment of fires.
- 1459. Penalties.

§ 1451. Patrol along tracks

Whenever in the judgment of the Forest Commissioner the woodlands along the railroads traversing the forest lands of the State are in a dry and dangerous condition, he shall maintain a competent and efficient fire patrol along the right-of-way or lands of such railroads.

R.S.1954, c. 36, § 74.

§ 1452. Report of fires

All fires started upon the right-of-way of any railroad or lands adjacent thereto shall be immediately reported to the commissioner, upon blanks to be furnished by him, by the patrolman within whose limits the fire originated, setting forth the origin of such fire, the quantity and quality of the land burned over and, if the fire was started by a locomotive, the number thereof.

R.S.1954, c. 36, § 75.

§ 1453. Expense of fire patrol paid by railroad

The commissioner shall keep, or cause to be kept, an account of the cost of maintaining such fire patrol along the line of such railroad, including therein the wages and expenses of the em-

ployees engaged in maintaining such fire patrol, and the total cost thereof shall be paid to the commissioner by the railroad company along whose land or right-of-way such patrol is maintained, such payment to be made monthly or on the presentation of the bills therefor. All such funds received by said commissioner shall be credited to the fund for the protection of the forests against fire from which it was drawn.

R.S.1954, c. 36, § 76.

§ 1454. Liability of railroad not affected

Nothing in sections 1451 to 1453 shall be construed as releasing any railroad company from any damage caused by fires set by their locomotives or employees.

R.S.1954, c. 36, § 77.

§ 1455. Removal of inflammable material

Every railroad company whose road passes through waste or forest lands shall during each year cut and burn off or remove from its right-of-way all grass, brush or other inflammable material, but under proper care and at times when fires are not liable to spread beyond control. No railroad employee shall build a fire to burn rubbish along the right-of-way through forest lands when forbidden to do so by the commissioner or his wardens.

R.S.1954, c. 36, § 78.

§ 1456. Spark arresters for locomotives

All locomotives which shall be run through forest lands shall be provided with approved and efficient arrangements for preventing the escape of fire and sparks. The commissioner may petition the Public Utilities Commission, setting forth that there is danger of fire to lands within the Maine Forestry District from the operation of locomotives on any railroad. Said commission may, after notice and hearing thereon, make such orders and regulations relating to the equipment and operation of locomotives, during times of drought or danger of forest fires, as they deem necessary for the prevention of fires on said lands.

R.S.1954, c. 36, § 79.

§ 1457. Liability for damage by employees; window screens

No railroad company shall permit its employees to deposit fire, live coals or ashes upon its track in the immediate vicinity

of woodlands or lands liable to be overrun by fires, and any railroad company operating a railroad running through the Maine Forestry District shall between the first day of May and the 10th day of November following in each year, fasten down or secure screens or other obstructions in the windows of all cars or apartments of cars in which smoking is allowed, to prevent the throwing of burning matches, burning cigars, burning cigarettes or parts thereof from the windows of such cars. When engineers, conductors or trainmen discover that fences along the right-of-way or woodlands adjacent to the railroads are burning or in danger from fire, they shall report the same at their next stopping place which shall be a telegraph station.

R.S.1954, c. 36, § 80.

§ 1458. Damage to forest growth during construction; extinguishment of fires

For all damages caused to forest growth by any person employed in the construction of any railroad built in this State, the company owning such road shall be primarily liable to the person or persons so damaged. During the construction of such roads through woodland, there shall be kept posted in conspicuous places on each line of the roadways at distances of 200 feet, abstracts of the laws relating to forest fires. Any person employed in the construction of such railroads, who shall set or cause to be set any fire along the line of said roads shall, before leaving the same, totally extinguish said fires, and upon failure to do so, such person shall be punished by a fine of not more than \$500 or by imprisonment for not more than 60 days, or by both. All persons having charge of men in the construction of such railroads shall see that this section is carefully complied with, and for any negligence or want of ordinary care on their part in relation to the same, they shall be liable to the penalties imposed by this section.

R.S.1954, c. 36, § 82.

§ 1459. Penalties

Any railroad company violating any of the provisions of sections 1455 to 1457 shall be punished by a fine of \$100 for each offense.

R.S.1954, c. 36, § 81.

SUBCHAPTER VIII

SAWMILLS

Sec.

1501. Definitions.

1502. License fee; change of location or ownership.

1503. Hazard clearance.

1504. Forest fire tool cache.

1505. Annual timber-cut report.

§ 1501. Definitions

Sections 1501 to 1504 shall apply to primary wood-using portable sawmills or portable plants which use wood products in log or bolt form and saws or processes them. All such mills which have not been in one location at least one year shall be termed portable. Location changes within the previous year shall have no effect on this definition. All such mills are subject to license whether operated by steam power, internal combustion motors or electricity.

R.S.1954, c. 36, § 87.

§ 1502. License fee; change of location or ownership

It shall be unlawful for any primary wood-using portable sawmill in the State to operate without first obtaining a license from the Forest Commissioner. Application shall be made upon blanks prepared by the commissioner for this purpose, giving the name of the owner or owners, the location and type of mill, name and location of lot to be cut and such other pertinent information as may be required. A proper record of all applications for licenses and all licenses issued shall be kept by the commissioner at his office and shall be open to inspection of any person during reasonable business hours. When said mill is located in towns or organized plantations of the State, outside the limits of the Maine Forestry District, copy of licenses will be sent town forest fire wardens. The fee for such license shall be \$25, which shall be deposited at the time of making the application and made payable to the Treasurer of State, and all such licenses shall expire one year from the date of their issue. The commissioner or his representatives within the State, or town forest fire wardens within their towns, may at any time suspend or revoke any license for the violation of the slash laws and may suspend such license in time of drought if the operation creates an extra forest

fire hazard. The commissioner shall be notified by written application of changes of location or ownership and shall approve and grant such permits, and failure to make application within 10 days shall mean suspension of license until rectified. The owner or operator of any primary wood-using portable sawmill can move one or more times within the year of the license issued or show transfer of ownership without any additional fee. The commissioner shall authorize his representatives and town forest fire wardens of their towns to periodically inspect all primary wood-using portable sawmills. Such inspection shall be in the nature of friendly public forest fire prevention contacts and to correct or report any violation of sections 1501 to 1504. Any primary wood-using portable sawmill so operated without a license shall be deemed a public nuisance without other proof than its use.

All money accruing from the issuance of licenses as provided for in this section shall be added to and become a part of the fund for general forestry purposes.

Whoever operates a primary wood-using portable sawmill without first obtaining a license from the commissioner shall be punished by a fine of not more than \$100 or by imprisonment for 30 days, or by both.

R.S.1954, c. 36, § 87.

§ 1503. Hazard clearance

The granting and holding of such licenses is conditional on keeping any slash, caused by wood and timber cutting, removed for a distance of 50 feet in all directions from the mill, sawdust pile and incinerator. Live trees need not be removed from the cleared area except that dead and green branches of conifers or evergreen trees shall be pruned to a height of 10 feet above the ground. Dead snags shall be removed. The area for the sawdust pile shall be clear of all trees and located not less than 25 feet from an incinerator. The sawdust pile shall be reasonably free of slabs and edgings.

R.S.1954, c. 36, § 87.

§ 1504. Forest fire tool cache

All primary wood-using portable sawmills, subject to license, shall be equipped with such forest fire fighting equipment as the commissioner shall specify, provided that the cost to the owner or operator does not exceed \$25 for each mill. All such

forest fire fighting tools shall be kept in good condition in a tool cache within 50 feet of the mill.

R.S.1954, c. 36, § 87.

§ 1505. Annual timber-cut report

Owners or operators of all primary wood-using sawmills, stationary or portable, and primary processors of cordwood, bolt-wood, pulpwood, posts, poles, piling and fence rails, except for domestic use and not for sale or conversion into products for sale, shall render an annual report to the commissioner during the month of January of each year of the amount of softwoods and hardwoods cut by species within the State by or for them during the preceding calendar year, and showing the county or counties from which the wood was taken. Forms for this report shall be provided by the commissioner. Information contained in said reports shall not be made public insofar as the same applies to individuals.

R.S.1954, c. 36, § 88; 1959, c. 124.

SUBCHAPTER IX

SLASH AND BRUSH

Sec.

- 1551. Burning permits.
- 1552. Disposal; along highways.
- 1553. —Along railroads and utility lines.
- 1554. —Along land bordering on another.
- 1555. —By dwelling houses.
- 1556. —Accumulations from construction or maintenance of tracks, roads and utility lines.
- 1557. —Manner of.
- 1558. Observance of rules by sawmill operators.
- 1559. Penalties.

§ 1551. Burning permits

It shall be unlawful for any person to kindle a fire for purposes of clearing land or burning logs, stumps, roots, brush, slash, fields of dry grass, pasture and blueberry lands, except when the ground is covered with snow, without first obtaining a written permit. Requests for permits to burn under this section may be obtained from state forest fire wardens within the State and from

town forest fire wardens outside of the limits of the Maine Forestry District. For this purpose the Forest Commissioner shall prepare and cause to be furnished to all such state and town forest fire wardens blank permits signed by him. They shall have authority to countersign and grant such permits signed by the commissioner but shall not delegate such authority to subordinates except by written approval of the commissioner. State forest fire wardens working in the incorporated sections of the State shall have authority to countersign and grant such permits signed by the commissioner for any deorganized town or plantation not a part of the Maine Forestry District and for state parks. This section shall not exempt any person from securing a permit to burn on his own land. Moisture, wind, time of day, length of burning period needed, sufficient force and equipment and any other condition deemed necessary for granting such permits for burning shall be at the discretion of state and town forest fire wardens. Whenever possible town forest fire wardens of towns and plantations outside the limits of the Maine Forestry District shall notify their state forest fire warden of any permit issued and particularly of any special burning job. Whenever in the opinion of the commissioner there is a serious forest fire hazard, due to dry weather conditions, he may prohibit all burning under this section and in such periods state and town forest fire wardens shall refuse all requests to burn and declare void all permits already issued. Any person to whom a burning permit is granted is in no way relieved of legal responsibility if the fire is allowed to escape or causes damage to property of another. Nothing herein contained shall limit restrictions of any town or plantation ordinance regulating burning of refuse or debris. This section shall not apply to the rights of state forest fire wardens to set a backfire for the purpose of stopping a forest fire actually burning. This section shall not conflict with the laws on kindling fires on land of another.

Whoever violates any of the provisions of this section shall on conviction be punished by a fine not exceeding \$100 or by imprisonment for not more than 30 days, or by both.

R.S.1954, c. 36, § 84.

§ 1552. Disposal; along highways

Whoever, as stumpage owner, operator, landowner or agent, cuts, causes or permits to be cut any forest growth on lands which are within or border upon the right-of-way of any public highway within the State shall dispose of the slash and brush in the man-

ner described: All slash and brush resulting from such cutting of forest growth shall not remain on the ground within 50 feet of the nearer side of the wrought portion of any state highway or within 50 feet of any other public road.

R.S.1954, c. 36, § 83.

§ 1553. —Along railroads and utility lines

Whoever, as stumpage owner, operator, landowner or agent, cuts, causes or permits to be cut any forest growth on lands which are within or border upon the rights-of-way of any railroad, electric power, telegraph, telephone or pipelines within the State shall dispose of the slash and brush in the manner described: All slash and brush resulting from such cutting of forest growth shall not remain on the ground within 25 feet of all such rights-of-way.

R.S.1954, c. 36, § 83.

§ 1554. —Along land bordering on another

Whoever, as stumpage owner, operator, landowner or agent, cuts, causes or permits to be cut any forest growth on land which borders forest growth of another within the State outside the limits of the Maine Forestry District or within the Maine Forestry District which borders property outside shall dispose of the slash and brush in the manner described: All slash and brush resulting from such cutting of forest growth shall not remain on the ground within 25 feet of the property line, provided that the commissioner on his own initiative or upon written complaint of another declares that the situation constitutes a fire hazard.

R.S.1954, c. 36, § 83.

§ 1555. —By dwelling houses

The commissioner or his representatives by written notice to any stumpage owner, operator, landowner or agent, cutting forest growth within the State outside the limits of the Maine Forestry District may require the removal of slash or brush within 100 feet of dwellings when in his or their judgment such slash and brush constitutes an unusual hazard endangering other property through the setting or spreading of forest fires.

R.S.1954, c. 36, § 83.

§ 1556. —Accumulations from construction or maintenance of tracks, roads and utility lines

Slash and brush accumulating by the construction and maintenance of railroads, highways, electric power, telegraph, telephone or pipe lines shall not be left on the ground. Disposal of slash and brush resulting from the construction and maintenance of railroads, highways, electric power, telegraph, telephone or pipe lines may be done by either hauling away or burning. Any burning must comply with section 1551 governing permits and conditions suitable to burn.

Any violation of this section by the person responsible therefor, or his employer, whether individual, firm or corporation shall be punishable by a fine of not more than \$100 or by imprisonment for not more than 30 days, or by both.

R.S.1954, c. 36, § 86.

§ 1557. —Manner of

All slash and brush resulting from cutting of forest growth shall be removed the required distances under this subchapter and scattered and not piled in windrows, within 30 days after cutting or 30 days of notification to remove by the commissioner or his representatives.

R.S.1954, c. 36, § 83.

§ 1558. Observance of rules by sawmill operators

All owners or operators of primary wood-using portable sawmills cutting forest growth within the State shall observe the slash and brush provisions of this subchapter when on or after change of location.

R.S.1954, c. 36, § 83.

§ 1559. Penalties

Whoever violates any of the provisions of this subchapter shall on conviction be punished by a fine of not exceeding \$100 or by imprisonment for not more than 30 days, or by both. The failure of any person to comply with this subchapter shall constitute a continuing offense and he shall be subject to the penalties provided until he complies therewith.

R.S.1954, c. 36, § 83.

SUBCHAPTER X

TAX REVENUES

Sec.

- 1601. Annual district tax.
- 1602. Payment of expenses.
- 1603. Appropriation for payment of claims, accounts and demands.
- 1604. Filing of tax certificate with treasurer.
- 1605. Tax notices; publication; payment.
- 1606. Assessments on plantations.
- 1607. Use of funds; deficiency; payments from State Treasury; audit.

§ 1601. Annual district tax

A tax of $4\frac{3}{4}$ mills on the dollar is assessed upon all the property in the Maine Forestry District, including rights in public reserved lots, to be used for the protection thereof; except that in organized municipalities the tax rate shall be $4\frac{3}{4}$ mills multiplied by a fraction whose numerator is the previous year's assessed value of the land taxable by the municipality, including dams and power houses but not including any other structure or building, and whose denominator shall be the total previous year's assessed value of all property taxable by the municipality. Such tax shall be paid on or before the first day of October, annually. The valuation as determined by the Board of Equalization, and set forth in the statement filed by it as provided by Title 36, section 381, shall be the basis for the computation and apportionment of the tax assessed. The State Tax Assessor shall determine, in accordance with Title 36, section 1142, the amount of such taxes due from the owners of lands in each unorganized township and lot or parcel of land not included in any township and rights in public reserved lots, and such amounts shall be included in the statements referred to in Title 36, section 1145. The tax assessed shall be valid, and all remedies provided shall be in full force if said property is described with reasonable accuracy, whether the ownership thereof is correctly stated or not.

R.S.1954, c. 36, § 96; 1955, c. 13; 1957, c. 287; c. 424; 1959, c. 376; 1963, c. 5.

§ 1602. Payment of expenses

All expenses incurred under this subchapter and subchapters II and IV shall be paid from the funds raised and created by the tax assessed under section 1601.

R.S.1954, c. 36, § 109; 1955, c. 473, § 12; 1957, c. 397, § 27; c. 418, § 13; c. 429, § 41.

§ 1603. Appropriation for payment of claims, accounts and demands

So much of the funds raised by the tax imposed and paid into the treasury, as may be necessary to pay the claims, accounts and demands arising under this subchapter and subchapters II and IV, is appropriated to pay the same, and the Governor and Council may authorize the State Controller to draw his warrant therefor at any time. Any balance remaining shall continue from year to year as a fund available for the purpose defined in section 1607.

R.S.1954, c. 36, § 110.

§ 1604. Filing of tax certificate with treasurer

The State Tax Assessor shall, on or before the first day of May of each year, prepare and file with the Treasurer of State a certificate setting forth the name of each municipality in the Maine Forestry District and the amount of forestry district taxes due from such municipality computed at the rate fixed in section 1601.

R.S.1954, c. 36, § 97.

§ 1605. Tax notices; publication; payment

The State Tax Assessor shall, on or before the first day of July annually, notify the owners of such lands so assessed in accordance with Title 36, section 1145. Such lands are held to the State for payment of the tax so assessed with interest thereon at the rate of 6% per year to commence on October 1st upon the taxes for the year for which such assessment is made. Payment and collection of such forestry district taxes shall be in accordance with Title 36, sections 1281 to 1283.

R.S.1954, c. 36, § 98.

§ 1606. Assessments on plantations

The Treasurer of State shall annually send his warrant, together with a copy of the assessment of taxes upon the plantations in the Maine Forestry District, directed to the municipal officers of said plantations, requiring them respectively to assess, in dollars and cents, the sum so charged according to the law for

the assessment of such taxes, and to add to the amount of such tax the amount of state, county and plantation taxes to be by them assessed in each plantation respectively.

R.S.1954, c. 36, § 99.

§ 1607. Use of funds; deficiency; payments from State Treasury; audit

The tax assessed by authority of section 1601 shall be recorded on the books of the State in a separate account as a fund to be used to protect from fire the forests situated upon and within the district, and to pay expenses incidental thereto and for no other purpose, except that upon receipt of information from the commissioner that there is in said fund a certain sum in excess of the amount necessary for the protection of the forests in said district from fire, the Governor and Council may authorize the State Controller to refund proportionately to the landowners, paying the tax assessed, such sum or sums as shall be recommended by the commissioner. If the tax assessed by authority of section 1601 for any reason is not available for the purpose aforesaid or if said tax proves insufficient in any year to properly carry out said purpose, the Governor and Council may make available for said purposes, from any moneys then in the treasury not otherwise appropriated, such sum or sums of money as they may deem necessary for such purpose. Annually on February 1st a petty cash advance of \$10,000 from the proceeds of said tax shall be made by the State Controller to the commissioner who shall set the same aside as an "Emergency Fire Fighting Fund" and who may expend therefrom for fire fighting purposes of an emergency nature. He shall make to the State Controller accountings as necessary, but in any event monthly, of such expenditures and thereupon the State Controller shall, upon audit, promptly reimburse therefor so that said petty cash advance shall be always available to the commissioner as provided. Except as provided, the expenditures of forestry district funds shall be in accordance with Title 5, chapters 7, 11, 141 to 155. Said chapters shall not otherwise apply to said Forestry District. The commissioner may employ from time to time such clerks in his office as will enable him to carry out the provisions hereof and the compensation of such clerks shall be paid from the funds provided for the district.

R.S.1954, c. 36, § 100; 1959, c. 363, § 21.

SUBCHAPTER XI

JURISDICTION AND PENALTIES

Sec.

1651. Penalties not substitutes for existing liabilities.

1652. Jurisdiction for prosecutions.

§ 1651. Penalties not substitutes for existing liabilities

None of the penalties imposed by section 511 and subchapters V, VII, VIII and IX shall be considered as substitutes for or as repealing existing laws making persons guilty of acts of trespass or liable for civil damages to persons injured by such acts.

R.S.1954, c. 36, § 112.

§ 1652. Jurisdiction for prosecutions

The District Court shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under any provisions of this subchapter and subchapters I, II, IV and X. Any person, arrested as a violator of said subchapters, may with reasonable diligence be taken before the District Court in the division nearest to where the offense is alleged to have been committed for a warrant and trial, and in such case jurisdiction is granted to the District Court in adjoining divisions to be exercised in the same manner as if the offense had been committed in that division.

1961, c. 124; 1963, c. 402, § 71.