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Legislative Document

No. 285

S.P. 118

In Senate, February 7, 2013

An Act To Electronically Issue Permits for Burning

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative GIFFORD of Lincoln and
Senator: SHERMAN of Aroostook, Representatives: BLACK of Wilton, CRAY of Palmyra,
DILL of Old Town, NOON of Sanford, SAUCIER of Presque Isle.

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

2 **Sec. 1. 12 MRSA §9326**, as enacted by PL 2005, c. 12, Pt. U, §2 and amended by
3 PL 2011, c. 657, Pt. W, §7, is further amended to read:

4 **§9326. Electronic issuance of permits**

5 The Director of the Division of Forestry shall develop or cause to be developed a
6 system to electronically issue permits for burning in all areas of the State using a publicly
7 accessible site on the Internet. ~~Beginning July 1, 2005, the director may issue permits~~
8 ~~electronically for burning within the unorganized territory and within the southernmost~~
9 ~~region of the 3 geographic regions of the State established in accordance with section~~
10 ~~8906. For the purposes of this section, the unorganized territory and the southernmost~~
11 ~~region are referred to as "the pilot region."~~

12 The system developed under this section for electronically issuing permits must
13 provide a fire warden with the ability to change the criteria for issuing a permit in a
14 municipality except for times when the director imposes more restrictive criteria or a ban
15 on the issuance of permits.

16 ~~Beginning July 1, 2005, a~~ Δ person may apply for a permit to burn ~~within the pilot~~
17 ~~region~~ using the Internet or as otherwise provided in this article. When a person applies
18 for and is issued a permit electronically using the Internet, a fee of \$7 must be paid. From
19 the \$7 fee, ~~\$6~~ \$4 must be deposited in the General Fund, \$2 must be transferred to the
20 municipality in which the permit is issued and the remainder of \$1 must be used to cover
21 administrative costs. For a permit issued in the unorganized and deorganized areas, from
22 the \$7 fee, \$6 must be deposited in the General Fund and the remainder of \$1 must be
23 used to cover administrative costs.

24 **SUMMARY**

25 This bill directs the Director of the Division of Forestry in the Department of
26 Agriculture, Conservation and Forestry to develop a system to electronically issue
27 permits for burning in all areas of the State using a publicly accessible site on the
28 Internet. Current law provides a pilot project for the issuance of such permits in certain
29 parts of the State. The bill also specifies the procedure for the disbursement of the fee
30 collected for a permit for burning that is issued electronically.