



STATE OF MAINE  
OFFICE OF THE GOVERNOR  
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AUGUSTA, MAINE  
04333-0001

Paul R. LePage  
GOVERNOR

3 July 2018

The 128th Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1809, "An Act to Amend the Laws Governing the Issuance of Burn Permits."

LD 1809 deals with outdoor burning permits, which are a wildfire prevention tool that protect homes, property, public safety and the forest economy. Title 12, Chapter 807 authorizes the Director of the Maine Forest Service to issue outdoor burning permits statewide. The original bill was opposed by the Department of Agriculture, Conservation, and Forestry (DACF) and Maine Forest Service (MFS) because the department believes, as do I, that the best way to control fires is to have a single, statewide system for burn permit issuance under the management or oversight of the MFS Forest Rangers. The MFS also opposed LD 1809 because the original bill did not provide the same benefit of free permits to citizens and business in all areas of the state.

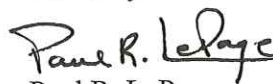
During the legislative process, an agreement was made for the committee to amend LD 1809 to address concerns raised by the department. The fee for the state's online permit system was dropped, making permits available to everyone without charge. In addition, the amendment allowed the Director of the Forest Service to approve up to two private systems for statewide use, with an appeal process given to the courts in the event of a denial by the Director.

However, since being voted out of committee, a final-hour amendment inexplicably reinstated the \$7 fee for the state system while preserving the free, third-party permitting system for up to two providers. This creates a dual-tiered system where people and businesses in only a few towns, mostly in southern Maine, will have online access to free permits. This change negatively discriminates against residents and businesses operating in Maine's unorganized territories and rural towns, which lack the capacity or resources to contract with an online service.

This last-minute amendment, which appears to be either for the benefit of the outside permit-service providers or to avoid a fiscal note, received little or no scrutiny by either of the legislative bodies. This is exactly the type of backroom wrangling that citizens have come to loathe about the legislative process. I am particularly concerned that the Legislature is willing to pass a measure that puts citizens and businesses in Maine on an unequal footing simply because of where they are located.

For these reasons, I return LD 1809 unsigned and vetoed. I strongly urge the Legislature to sustain this veto.

Sincerely,

  
Paul R. LePage  
Governor



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