

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 567

H. P. 1403

House of Representatives, February 9, 1939.

Reported by Mr. Bates from Committee on Interior Waters and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT to Permit the Use of Great Ponds for Certain Purposes.

Emergency preamble. Whereas, the North Eastern Timber Salvage Administration, an agency of the government of the United States, has purchased and will continue to purchase and market trees which were uprooted and felled in the disastrous hurricane of September, 1938; and

Whereas, the logs obtained from such trees must be speedily placed in water and there kept until sold or manufactured; and

Whereas, certain great ponds owned by the state are the only available waters in which to store such logs; and

Whereas, said agency will be unable to operate and make any return to the owners of said trees unless storage is possible; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Permits for storage and booming of logs allowed. The forest commissioner, with the approval of the governor is authorized and em-

powered to grant permits for the storage and booming of logs in the waters of any of the lakes and ponds of the state which are 10 acres or more in area to any person, firm, corporation or agency of the state or federal government which requires the use of said facilities because of any emergency or unusual conditions sufficient in the opinion of said forest commissioner to require such action.

Sec. 2. Limitations. Such permits shall be issued for such periods as the forest commissioner may deem necessary and he shall designate such parts of said ponds or lakes for such use as will in his opinion cause the least possible interference with the rights of the people of the state to use such lakes or ponds. No permit shall authorize the storage or booming of logs in said ponds or lakes within a distance of 2 miles from the intake of any public domestic water supply. No such permit shall in any way abridge or limit the exercise by any person, firm or corporation, either singly or in concert with others, of the lawful right to store or discharge the waters in or of any such pond or lake; and no person, firm or corporation shall be liable to any person, firm, corporation or agency of the state or federal government for damages to logs stored in any such pond or lake under such permit occasioned by raising or lowering the waters thereof by the lawful storage or discharge of said waters.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.