

MAINE STATE LEGISLATURE

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SPECIAL SESSION

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. 1224

S. P. 723

In Senate, May 24, 1940.

Received out of order, under suspension of rules and by unanimous consent referred to Committee on Mines and Mining and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Kennedy of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY

AN ACT to Permit Development of Mines in Maine.

Emergency preamble. Whereas, it has been discovered that some mines in Maine have possibilities of development by mining present veins that continue from under the land to under water; and

Whereas, some big companies are interested in undertaking such development; and

Whereas, immediate passage of this bill will permit the work to be started this summer; and

Whereas, delay in the passage of this bill will postpone action for one year; and

Whereas, it is vitally important that every effort be made to further industrial development of the state at this time; 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:

Development of mines permitted. Chapter 49 of the revised statutes is hereby amended by adding thereto the following section to be numbered section 63:

'Sec. 63. Development of mines permitted. Whenever it is discovered that a lode or vein in a mine continues from under the land to under water, where the title to the land underneath the water is in the state, the owner or owners of the mine shall have the right to follow the lode or vein, and claim the property rights thereto, and to conduct such operations as are necessary to develop and mine the said continuation of the lode or vein, and shall be obligated to pay to the state 5% of the net profits derived from the operation of that portion of the lode or vein that is in the land owned by the state.'

Emergency clause. In view of the emergency created as recited in the preamble this act shall take effect when approved.