

# MAINE STATE LEGISLATURE

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SPECIAL SESSION

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

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**Legislative Document**

**No. 1239**

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S. P. 733

In Senate, June 5, 1940.

Reported by Mr. Kennedy from Committee on Mines and Mining and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Kennedy of Hancock.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY

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**AN ACT to Encourage Development of Maine's Resources.**

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**Emergency preamble.** Whereas, the development of mining in Maine has been retarded due to the fact that large investments were necessary, and

Whereas, there are many probabilities that would be investigated if some large companies became located in Maine, and

Whereas, one company is now interested in immediately investigating an existing mine, and

Whereas, the immediate enactment of this bill will permit the work to be started this summer and result in immediate employment of citizens, and assist in the production of metal and thus aid the defense program, 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:

**R. S., c. 49, § 63, additional.** Chapter 49 of the revised statutes is hereby amended by adding thereto the following section to be numbered section 63:

**'Sec. 63. Mining under water.** Whenever it is discovered that a vein or lode 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 vein or lode, and claim the property rights thereto, and to conduct such operations as are necessary to develop and mine the said continuation of the vein or lode, and shall be obligated to pay to the state 5% of the net profits derived from the operation of that portion of the vein or lode 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.