

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1043

H. P. 1790

House of Representatives, March 21, 1941.

Reported by Mr. Dutton from Committee on State Lands and Forest Preservation and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to the School or Reserved Lands of the State.

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

Sec. 1. R. S., c. 11, § 20, amended. Section 20 of chapter 11 of the revised statutes is hereby amended to read as follows:

‘Sec. 20. Forest commissioner to have care of lots located; may sell timber, grass and gravel on such lots and grant permits. The forest commissioner shall have the care of the reserved lands in all townships or tracts until they are incorporated and the fee becomes vested in the town. He may from time to time sell for cash for such sum as may be consented to by the assessors of any organized plantation or by the county commissioners in the county in which any unorganized plantation is situated, the timber and grass thereon or the right to cut the same, **and also any gravel existing in the soil of such lands (but such gravel shall be sold only for the construction of public highways or other public works in the vicinity of the location of the land from which the gravel is taken, and then only when, in the opinion of the forest commissioner, there will be an increase in the value of said lands by reason of the construction of said public highways or public works)** until incorporated into a town, except the grass growing on improvements made by an actual settler. When so sold he shall give the purchaser a permit under his hand and seal, setting

forth the terms of the contract, which permit shall be recorded in the office; provided, however, that no timber shall be so sold until the same has been advertised for sale and a notice thereof published for 3 weeks successively in some newspaper published in the county where the land is situated, and if no such paper is published in such county then in the state paper. Except that this section shall not apply to cases where the reserved lands have not been located.'

Sec. 2. R. S., c. 11, additional. Chapter 11 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 20-A and to read as follows:

'Sec. 20-A. Limitation of rights. No granting of rights in the timber, grass or gravel in or on any public lands shall be construed as conveying away any of the rights of the state in the soil of said lands, or as limiting the powers of the state to permit the opening of mines on said lands, and any conveyances of grass, gravel or timber rights can continue in effect only until such time as the state shall begin mining operations on said lands, or some use of the soil, or shall execute a lease or a grant of said lands that conflicts with grants of rights in the timber, grass or gravel.'

Sec. 3. Repealing clause. All acts or parts of acts inconsistent herewith are hereby repealed or amended to conform herewith.