

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 808

H. P. 1225

House of Representatives, February 13, 1945.

Referred to the Committee on Public Utilities, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Peirce of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT to Aid in Prevention of Flood Damage.

Emergency preamble. Whereas, at various points on the inland waterways of Maine, there build up in the beds of the rivers and streams accumulations of ice which, if not seasonably removed before freshet season, often constitute virtual dams and cause substantial damage to mills and other private property, bridges and highways; and

Whereas, our laws make no provision for the lawful removal of the same, or for such removal under supervision and with due regard for the property and rights of others; and

Whereas, it is expedient to provide legal means for the removal of the same before the spring freshet season of 1945, particularly in view of wartime limitations upon the availability of labor and materials for repair and replacement following such damage; 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. 40, § 13-A, additional. Chapter 30 of the revised statutes is hereby amended by adding thereto a new section to be numbered 13-A, to read as follows :

'Sec. 13-A. Removal of ice dams authorized. Whenever, upon application of a municipality, county, state department or agency, private person or corporation, it appears to the satisfaction of the commission that accumulations of ice or debris in the bed of any river or stream above tide-water threaten substantial damage to public or private property, highways or bridges, the commission may grant to the applicant permission to abate the same under the direction of the commission, and subject to such conditions as it shall impose.'

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