

MAINE STATE LEGISLATURE

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NINETY - THIRD LEGISLATURE

Legislative Document

No. 1044

H. P. 1440

House of Representatives, February 20, 1947.

Transmitted by revisor of statutes pursuant to joint order.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Marsans of Monmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Pollution of Streams.

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

R. S., c. 33, § 57, amended. Section 57 of chapter 33 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 57. Deposit of slabs, edgings, sawdust, etc., in streams prohibited; penalty. No person or corporation shall place or deposit in the inland waters of this state, or on the banks thereof, in such a manner that the same shall fall or be washed into such waters, any slabs, edgings, sawdust, chips, bark, mill waste, shavings or fibrous materials created in the manufacture of lumber or other wood products, or so deposit any oil regardless of its source, **or in any other manner pollute the above said waters.**

The following rivers ~~and their branches~~ are exempted from the provisions of the preceding ~~paragraphs~~ **paragraph**: Salmon Falls river, Mousam river, Saco river, Presumpscot river, Androscoggin river, Kennebec river, Penobscot river **and the West Branch of the Penobscot river up to and including the town of Millinocket**, St. Croix river, and St. Johns river excepting all tributaries **of the aforesaid rivers**. Whoever violates any provision of this section shall pay a fine of not less than \$5, nor more than \$100, and costs, for each offense.

If any person, firm or corporation believes it to be necessary in the prosecution of its business to deposit some or all of the materials mentioned in the ~~preceding first~~ paragraph in some inland water, or on the banks thereof, where such depositing is now prohibited, **or in any other manner pollute said waters**, such person, firm or corporation may make application to the commissioner ~~and the director of health~~ and the state sanitary water board who shall give notice thereof and hold a hearing, and shall have authority to issue such permit as they deem advisable and necessary, or to deny such petition.

Provided further, that the commissioner and the forest commissioner shall have authority, upon petition of 25 citizens of this state, and after due notice and public hearing in the locality of the waters to be affected, at which hearing all parties interested may be heard, to promulgate rules and regulations prohibiting the pollution of any of the brooks, streams or rivers in this state with slabs, edgings, sawdust, chips, bark, mill waste, shavings, or any fibrous material created in the manufacture of lumber. A copy of any regulations promulgated by virtue of this section shall be filed in the office of the clerk of courts in the county in which the waters are situated, and shall be published 3 times in a newspaper printed in the county wherein the waters are situated. Whoever violates any provision of any rules and regulations of the commissioner and the forest commissioner promulgated by virtue of this section shall be punished by a fine of not less than \$5, nor more than \$100, and costs, for each offense.'