

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

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tag, and said tag shall be attached to the bull moose, or part thereof, being transported, paying therefor a fee of five dollars.

Provided, further, that any non-resident who has lawfully killed a bull moose may send the same to his home by presenting to the agent of a transportation company his moose hunting license, duly issued to him under the provisions of sections fifty-nine and sixty of this chapter, as amended, whereupon the agent, after satisfying himself that the person presenting said moose is the person described in the license, shall detach from said license the two moose coupons and shall attach one to the moose, or part thereof, offered for shipment, and said coupon shall remain attached to said moose, or part thereof, while it is being transported in this state; the other moose coupon shall be duly filled out by said transportation agent and forwarded to the commissioner of inland fisheries and game at Augusta, Maine.

Whoever lawfully kills a bull moose, shall, while the same, or any part thereof, is being transported, preserve and transport it with the evidence thereon of the sex of the same, under a penalty of three hundred dollars and costs, and forfeiture to the state of the moose, or part thereof, being transported in violation of this requirement.'

Approved March 29, 1919.

Chapter 132.

An Act to Create the Maine Water Power Commission.

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

Sec. 1. Commission of ten created; how made up; compensation; qualification; vacancies, how filled; tenure of office. The governor shall appoint ten citizens of the state as hereinafter provided, who shall constitute a commission to be known as the Maine Water Power Commission. Three of the commissioners shall be appointed with the advice and consent of the council; one commissioner shall be a member of the senate of the seventy-ninth legislature, to be appointed upon recommendation of the president of the senate; two commissioners shall be members of the house of representatives of the seventy-ninth legislature, to be appointed upon recommendation of the speaker of the house; one commissioner shall be a member of the Maine State Board of Trade, to be appointed upon recommendation of said board; one commissioner shall be a member of the Maine State Grange, to be appointed upon recommendation of the said grange; one commissioner shall be a member of the Maine State Federation of Labor, to be appointed upon recommendation of the said federation; and one commissioner shall be a member of the Savings Bank Association of Maine, to be appointed upon recommendation of said asso-

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ciation. The members of the commission shall be appointed within thirty days after this act shall take effect; they shall hold office for two years and the chairman of the commission shall be designated by the governor. Any vacancy occurring in said commission shall be filled in the same manner as by original appointment and recommendation, but such appointment shall be only for the unexpired portion of the term in which such vacancy occurs. The members of said commission shall each receive five dollars per day while engaged upon work of the commission, and they shall also be paid their actual and necessary expenses incurred in the performance of their duties, except that the members of the legislature, serving hereon, shall receive no per diem compensation. Should either the Maine State Board of Trade, Maine State Grange, Maine State Federation of Labor or Savings Bank Association of Maine fail to recommend a member within thirty days after this act shall take effect, or if after appointment in accordance with the terms of this act a vacancy should occur with reference to one or more of the representatives of the within named organizations, and such organization whose representation has become vacant shall fail within thirty days thereafter to recommend one of its members for such vacancy, the governor shall, with the advice and consent of the council, within thirty days thereafter appoint a citizen of the state to fill such vacancy. No member or employee of said commission shall have any official or professional connection or relation with, or hold any interest in, or stock or securities in any water power or water storage reservoir company operating within the state of Maine. No commissioner shall hold any other office of profit or trust under the government of the United States or of this state, except that members of the seventy-ninth legislature may be appointed to serve on this commission as herein provided, but such members shall not be candidates for reelection to the state legislature while serving as commissioners hereunder; nor shall any commissioner serve on or under any committee of any political party. Commissioners under this act may hold the office of justice of the peace and notary public. Any wilful violation of the provisions of this act by any commissioner shall constitute sufficient cause for his removal by the governor with the advice and consent of the council.

Sec. 2. May appoint chief engineer. The commission may employ a competent engineer with the title of chief engineer, who shall have charge, under the direction of the commission, of the operations under this act. The chief engineer is hereby authorized and empowered to employ, subject to the approval of the commission, such engineers, stenographers, clerks and other subordinates as he may find necessary to carry out the provisions of this act, but he shall not incur any expense in excess of the amounts annually appropriated by the state for this purpose.

Sec. 3. Shall report to governor. The commission shall adopt and have a seal and shall be provided with a suitable office at the state house in which its records shall be kept. On or before January first, nineteen hundred and twenty-one the commission shall render, to the governor and council, a report showing the progress made in its investigations and this report shall be transmitted to the next legislature. If the commission is unable to render a complete report with its final recommendations thereunder on the date herein specified, it shall give the reasons therefor together with an estimate as to what further time will be needed to complete its work and render a complete report.

Sec. 4. Shall investigate water power resources in state. The commission shall preserve all information heretofore collected by the state water storage commission and public utilities commission and shall thoroughly investigate the water power resources within the State of Maine, the flow of rivers and their drainage area, the location, nature and size of the lakes and ponds in the state and their respective value and capacity as storage reservoirs and such other hydrographic data as they shall deem of value in determining the best methods for the immediate improvement and development of water power resources within the state.

Sec. 5. Shall investigate state's rights in storage reservoirs. The commission shall investigate and report upon what rights remain to the state in the storage reservoirs and basins and in the developed and undeveloped water powers within the state, and whether these rights are in any respect being curtailed or otherwise being adversely affected by any person, firm or corporation, and, if it deems it advisable to do so, shall investigate the present ownership of the water power resources within the state and describe each water power whether developed or undeveloped within the state to which the state has title, complete or partial.

Sec. 6. Shall report upon question of transmission of electric current beyond state and shall report any violations; attorney general to act as counsel. The commission shall investigate and report upon the question of the transmission beyond the confines of the state of electric current generated within the limits of the state; it shall render an account of all corporations having the right to so transmit electric current and of the amount thereof now being so transmitted by any and all such corporations and by individuals; and they shall investigate and report upon any and all violations of section one, chapter sixty of the revised statutes of Maine. The attorney general shall act as counsel for the commission.

Sec. 7. Shall report upon advisability of state taking over developed and undeveloped water powers and formulate plan. The commission shall investigate the present water power developments within the state with the view to determine whether it is for the interest of the state that the

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storage reservoirs and basins and the undeveloped water powers within the state be acquired and developed by the state or by private enterprise. If the commission is of the opinion that it is for the best interests of the people of the state to have the storage reservoirs and basins and the undeveloped water powers developed by private enterprise, as had been done in the past, the commission shall, if practicable, report some plan whereby the present owners of these storage reservoirs and basins and undeveloped water powers may be encouraged to immediately develop them for the best interests of all the people of the state. If the commission is of the opinion that the state itself should acquire and develop these storage reservoirs and basins and undeveloped water powers, the commission shall report a plan for the same.

Sec. 8. Shall report comprehensive plan of conservation; powers of commission. The commission is hereby given full power and authority to administer oaths, compel the attendance of witnesses, the production of books and papers, to punish for contempt and to do everything necessary and proper to secure all the facts required to properly place before the people of the state, the true situation in regard to the present status and future possibilities of the water power resources of the state, and at as early a date as possible the commission shall present a comprehensive and practicable plan whereby the water power resources of the state may be conserved, used and developed for the benefit of all the people of Maine.

Sec. 9. No dam to be built before specifications have been filed with commission. Every person, firm or corporation before commencing the erection of a dam for the purpose of developing any water power in this state, or the creation or improvement of a water storage basin or reservoir for the purpose of controlling the waters of any of the lakes or rivers of the state, shall file with said commission for its information and use copies of plans for the construction of any such dam or storage basin or reservoir, and a statement giving the location, height and nature of the proposed dam and appurtenant structures and the estimated power to be developed thereby; and in case a dam is to be constructed solely for the purpose of water storage and not for the development of a water power at its site, plans and statements shall be filed with the commission showing the extent of the land to be flowed, the estimated number of cubic feet of water that may be stored and the estimated effect upon the flow of the stream or streams to be affected thereby.

Sec. 10. Shall cooperate with U. S. Geological Survey. The commission is hereby authorized and directed to confer with the director or the representative of the United States Geological Survey and to accept its cooperation with this state in the prosecution of hydrographic and geological surveys and the preparation of a contour topographical survey and map of this state, which are hereby authorized to be made.

Sec. 11. Public utilities commission to turn over all data compiled. The public utilities commission is hereby directed to turn over to the Maine Water Power Commission all records, maps, papers, instruments and property that were transferred to it by authority of chapter one hundred and twenty-nine of the public laws of nineteen hundred and thirteen, and also all records, maps and papers that it has since compiled and collected in carrying out the provisions of law directing it to continue the work of the former water storage commission.

Sec. 12. R. S., c. 55, §§ 9, 10, 12, 13 and 14; relating to duties of public utilities commission in relation to water powers, etc., repealed. Sections nine, ten, twelve, thirteen and fourteen of chapter fifty-five of the revised statutes are hereby repealed.

Sec. 13. Appropriation. The sum of fifteen thousand dollars for the year nineteen hundred and nineteen, and fifteen thousand dollars for the year nineteen hundred and twenty, or so much as may be necessary is hereby appropriated out of any fund in the treasury of the state not otherwise appropriated, to carry out the provisions of sections one to eleven, inclusive, of this act and any portion of said first mentioned sum of fifteen thousand dollars remaining unexpended on January first, nineteen hundred and twenty shall be available for use by the commission during the year nineteen hundred and twenty and the additional sum of five thousand dollars for the year nineteen hundred and nineteen, and five thousand dollars for the year nineteen hundred and twenty, or so much as may be necessary, is hereby appropriated out of any fund in the treasury of the state not otherwise appropriated to carry out the provisions of section ten of this act relating to the hydrographic and geological surveys to be made in connection with the United States Geological Survey.

Approved March 29, 1919.

Chapter 133.

An Act to Amend Section Forty-six of Chapter Thirty-three of the Revised Statutes, as Amended by Chapter Two Hundred and Nineteen of the Public Laws of Nineteen Hundred and Seventeen, Relating to the Protection of Certain Fur-bearing Animals.

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

R. S., c. 33, § 46, 1917, c. 219, am. § 46; relating to protection of fur-bearing animals, amended. Section forty-six of chapter thirty-three of the revised statutes, as amended by chapter two hundred and nineteen of the public laws of nineteen hundred and seventeen, is hereby amended by striking out all of said section and by substituting therefor the following section: