

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Eightieth Legislature

OF THE

## STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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1921

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eightieth Legislature

**1921**

[supplied from page 3 of volume]

of the Public Laws of Nineteen Hundred and Seventeen, as Amended by Chapter Two Hundred and Forty-four of the Public Laws of Nineteen Hundred and Seventeen, Relating to Non-Resident Fishing License Fees" is hereby repealed.

Approved April 9, 1921.

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## Chapter 203.

An Act to Amend Chapter One Hundred and Thirty-two of the Public Laws of Nineteen Hundred and Nineteen, Entitled "An Act to Create the Maine Water Power Commission."

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

**Sec. 1. 1919, c. 132, § 1; relating to the appointment, qualification, etc. of the members of the Maine Water Power Commission, amended.** Section one of chapter one hundred and thirty-two, laws of nineteen hundred and nineteen, is amended by substituting in place thereof the following paragraph:

'**Sec. 1. Upon expiration of term of present commission governor to appoint; legislative members not confined to 79th legislature and provision as to recommendation of president of senate and speaker of house eliminated; chairman of commission to be designated by governor.** Upon the expiration of the two-year term of the commission as now provided by law 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 present or former member of the state senate, to be appointed by the governor; two commissioners shall be present or former members of the house of representatives to be appointed by the governor; 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 association. 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 unex-

## CHAP. 203

pired 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 legislature may be appointed to serve on this commission as herein provided, but such members shall not be candidates for re-election 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. The chairman of the commission shall be designated by the governor and any vacancy shall be filled within sixty days after its occurrence.'

**Sec. 2. 1919, c. 132, § 3; relating to the report of the commission to be made to the governor and transmitted to the legislature, amended.** Section three of chapter one hundred and thirty-two is hereby amended by adding to said section the following words: 'The commissioner shall thereafter render an annual report to the governor and council as of January first of each year in which the progress of its investigations shall be reported together with such further recommendations as it may make under the provisions of this act,' so that said section, as amended, shall read as follows:

**'Sec. 3. Commission to make an annual report.** 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. The commission shall thereafter render an annual report to the governor and council as of January first of each year in which the progress of its investigations shall be reported together with such further recommendations as it may make under the provisions of this act.'

**Sec. 3. 1919, c. 132, § 4; relating to an investigation of water power resources in the state, amended.** Section four of chapter one hundred and thirty-two is hereby amended by adding to said section the following words: 'including the daily discharge of rivers as computed from data obtained at river gaging stations,' so that said section, as amended, shall read as follows:

**'Sec. 4. Investigation to include information relative to daily discharge of rivers.** 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, including the daily discharge of rivers as computed from data obtained at river gaging stations.'

**Sec. 4. 1919, c. 132, § 12; repealing certain statutes relative to the duties of the public utilities commission in connection with water powers, amended.** Section twelve of chapter one hundred and thirty-two is hereby amended by adding the word 'eleven' after the word "ten" in line three of said section, so that said section, as amended, shall read as follows:

**'Sec. 12. Includes in the repealing sections, § 11 of chapter 55, R. S. relating to the filing with the public utilities commission plans for proposed dams.** Sections nine, ten, eleven, twelve, thirteen and fourteen of chapter fifty-five of the revised statutes are hereby repealed.'

**Sec. 5. 1919, c. 132, § 13; relating to the appropriation for Maine**

## CHAP. 204

**Water Power Commission, amended.** Said chapter one hundred and thirty-two is hereby amended by adding thereto the following paragraph:

**'Appropriation to cover the next two years and a half.** The sum of seven thousand five hundred dollars for the six months ending June thirtieth, nineteen hundred and twenty-one, fifteen thousand dollars for the year ending June thirtieth, nineteen hundred and twenty-two, and fifteen thousand dollars for the year ending June thirtieth, nineteen hundred and twenty-three, is hereby appropriated to carry out the provisions of this act, and any portions of said sums remaining unexpended on June thirtieth, nineteen hundred and twenty-one, and on June thirtieth, nineteen hundred and twenty-two, shall be available for use by the commission during the years ending June thirtieth, nineteen hundred and twenty-two, and June thirtieth, nineteen hundred and twenty-three; and the additional sum of two thousand five hundred dollars for the six months ending June thirtieth, nineteen hundred and twenty-one, and five thousand dollars for the year ending June thirtieth, nineteen hundred and twenty-two, and five thousand dollars for the year ending June thirtieth, nineteen hundred and twenty-three, is hereby 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, and any portions of said sums remaining unexpended during the period for which appropriated shall be available for use during the years ending June thirtieth, nineteen hundred and twenty-two, and June thirtieth, nineteen hundred and twenty-three.'

Approved April 9, 1921.

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## Chapter 204.

An Act to Authorize the Promulgation of Rules and Regulations of the Commissioner of Inland Fisheries and Game.

**Emergency preamble.** Whereas, most of the present code of rules and regulations of the department of inland fisheries and game of nineteen hundred and seventeen will expire on July seventh, nineteen hundred and twenty-one, which rules and regulations were promulgated by special order of the legislature of nineteen hundred and seventeen, for a period of four years,

And Whereas, the important fishing interests of this state require that there shall be no lapse of these rules and regulations, which apply to important inland waters of the state which are being constantly stocked from the various fish hatcheries,