

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth and Eighty-seventh
Legislatures

OF THE

STATE OF MAINE

From April 1, 1933, to April 6, 1935

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
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AUGUSTA, MAINE
1935

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Sixth Legislature

AT THE

SPECIAL SESSION, DECEMBER 4-20

1933

Supplementary to Private and Special Acts of the Regular Session
and Special Session of November 14.

[supplied from page 59 of volume]

Chapter 123.

AN ACT to Empower the United States of America to Acquire Lands in the State of Maine by Purchase or Gift for National Forests, and Granting to the United States all Rights Necessary for Establishment, Control and Administration of Such Forests.

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

Sec. 1. Federal government authorized to acquire land for forestry purposes. The consent of the state of Maine is hereby given to the acquisition by the United States of America by purchase or gift, but not by condemnation, of such lands in the state of Maine as in the opinion of the federal government may be needed for the establishment, consolidation and extension of national forests in the state; provided, that the state of Maine shall retain a concurrent jurisdiction with the United States in and over lands so acquired so far that civil process in all cases, and such criminal process as may issue under the authority of the state of Maine against any person charged with the commission of crime without or within said jurisdiction, may be executed thereon in like manner as if this act had not passed, and further provided that the state of Maine shall retain exclusive jurisdiction over all matters referred to in the proviso contained in section 2 of this act.

Sec. 2. Federal government authorized to make rules and regulations for the administration of such forests. Power is hereby conferred upon the Congress of the United States to pass such laws and to make or provide for the making of such rules and regulations, of both a civil and criminal nature, not inconsistent with any of the provisions of this act, and provide punishment therefor, as in its judgment may be necessary for the administration, control and protection of such lands as are acquired by the United States hereunder, provided, however, that such laws, rules and regulations shall not in any way supersede, invalidate, or modify any of the laws of the state of Maine respecting the storage, control, use or development of water resources in the state of Maine, or the Mill Act, so-called, or any acts amendatory thereof or in addition thereto, and said laws of the state of Maine as now existing or hereinafter enacted, are hereby made applicable to all lands acquired under this act, notwithstanding the title thereto shall be in the United States of America, nor shall such laws, rules and regulations, nor shall anything in this act, in any way limit the power of the state of Maine through its legislature to pass any legislation, either general or specific, respecting the storage, control, use or development of the water resources thereon, or respecting the laws of the state of Maine now in force or hereafter enacted pertaining to fishing and hunting, nor shall it prevent the flowage of lands acquired hereunder in accordance

CHAP. 124

with the provisions of the Mill Act, or special charter, or other general laws of the state, upon payment of compensation therefor as therein provided, nor shall any consent of the United States of America be required to enable action to be taken under or in accordance with said laws of the state of Maine; and the state of Maine expressly reserves the jurisdiction of the courts of the state of Maine with respect to the determination of questions arising under said laws of the state of Maine respecting lands so acquired by the United States of America.

Sec. 3. The consent of the state of Maine to the United States of America to the acquisition of lands within the state of Maine by the United States of America for the establishment; consolidation and extension of National forests or any lands of a riparian nature or any lands with riparian rights appurtenant thereto or which are necessary for any hydraulic development within this state is hereby limited to the consent granted by this act, and when such lands are acquired by the United States of America they shall be held subject to all of the provisions hereof so long as the ownership thereof is retained by the United States of America.

Approved December 18, 1933.

Chapter 124.

AN ACT Providing Flexibility in the Handling of State Revenues and Expenditures During the Period of the Present State Cash Stringency.

Emergency preamble: Whereas: As a result of laws now in force it is anticipated that the cash available and to be available with the receipts from direct taxation and indirect sources is insufficient to carry on all the functions of government upon the scale provided by existing appropriations; and

Whereas: The insufficiency of such revenues renders it necessary that all income shall be pooled, notwithstanding the provisions of existing statutes requiring the segregation of funds for special purposes; and

Whereas: In the judgment of this legislature the facts hereinbefore set forth create an emergency within the meaning 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:

Sec. 1. In order to provide flexibility in the handling of the revenue of the state, whether derived from direct taxation or from indirect sources of whatever nature, the governor and council are hereby authorized, notwithstanding any provision of law requiring any part or parts of such