

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 461

H. P. 309 House of Representatives, January 18, 1961
Referred to the Committee on Sea and Shore Fisheries, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Waltz of Waldoboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Regulating the Taking of Alewives in Dyer River, Lincoln County.

Emergency preamble. Whereas, acts of the Legislature do not become effective for 90 days after the Legislature adjourns; and

Whereas, in the interest of conserving the natural resources of the State it becomes vitally necessary, from time to time, to regulate certain of the fishery resources; and

Whereas, the following legislation is immediately necessary to guard against the depletion of alewives in Dyer River, Lincoln County; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning 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:

P. & S. L., 1959, c. 155, § 67-A, additional. Chapter 155 of the private and special laws of 1959 is amended by adding a new section to be numbered 67-A, to read as follows:

'Sec. 67-A. Taking of alewives in Dyer River. Exclusive rights to the taking of alewives from all waters of the Dyer River in the Towns of Newcastle and Jefferson shall be optional with the towns.

The towns, at their annual town meetings, may determine by vote whether the alewife fishing in these waters shall be operated by the towns, through their selectmen or a committee or committees appointed for that purpose, or the privilege offered for sale by the said selectmen or committee or committees; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Towns of Newcastle and Jefferson and a copy of the same filed immediately with the clerks of said towns and the Commissioner of Sea and Shore Fisheries.

If in any year said towns fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Towns of Newcastle and Jefferson.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the towns are not following sound conservation principles in their management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.'

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