

MAINE STATE LEGISLATURE

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(Emergency)

O N E - H U N D R E D T H L E G I S L A T U R E

Legislative Document

No. 1557

H. P. 1130

House of Representatives, April 25, 1961

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Dennison of East Machias.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Regulating the Taking of Alewives in East Machias.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the taking of alewives in the various waters of the State is a vital and important industry in Maine; and

Whereas, the following legislation is vitally necessary for the conservation and promotion of the alewife industry in the East Machias River; 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P. & S. L., 1959, c. 155, § 108, repealed and replaced. Section 108 of chapter 155 of the private and special laws of 1959 is repealed and the following enacted in place thereof:

'Sec. 108. Taking of alewives in East Machias. Exclusive rights to the taking of alewives from all the waters in the Town of East Machias, Washington County, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or

a committee appointed for that purpose or the privilege offered for sale by the said selectmen or committee; 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 Sunday morning until sunrise on the following Monday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of East Machias and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall 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 Town of East Machias.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its 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.