

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 165

S. P. 84

In Senate, January 18, 1967

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

JERROLD B. SPEERS, Secretary

Presented by Senator Brewer of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Taking of Alewives in City of Bath.

Emergency preamble. Whereas, Acts and resolves do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, fishing is one of Maine's greatest natural resources and should be encouraged and promoted as much as possible; and

Whereas, it is vitally necessary that the following legislation be passed in order to aid in the conservation of this natural resource; and

Whereas, such conservation should be instituted in the spring of 1967; 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, § 76-A, additional. Chapter 155 of the private and special laws of 1959, as amended, is further amended by adding a new section 76-A, to read as follows:

Sec. 76-A. Taking of alewives in City of Bath. Exclusive rights to the taking of alewives, except as provided in section 78, from all waters in the City of Bath shall be optional with the city.

The City of Bath may determine by vote whether the alewife fishing in these waters shall be operated by the city, through its municipal officers or a committee

appointed for that purpose, or the privilege offered for sale by said municipal officers 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 Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the municipal officers of the City of Bath and a copy of the same filed immediately with the clerk of said city and the Commissioner of Sea and Shore Fisheries.

If in any year said city fails to act as provided for, the taking of alewives in said waters shall be in accordance with the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the City of Bath.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the city is not following sound conservation principles in its management of the fishery, said commissioner shall notify the municipal officers 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.