

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1017

H. P. 722

House of Representatives, February 22, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Evans of Freedom.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Enabling Towns to Form Districts to Operate Alewife Fisheries.

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

Sec. 1. R. S., T. 12, c. 323, sub-c. I-A, additional. Chapter 323 of Title 12 of the Revised Statutes, as revised, is amended by adding a new subchapter I-A, to read as follows:

SUBCHAPTER I-A

ALEWIFE FISHERY DISTRICTS

§ 2571. Municipal districts to operate commercial alewife fisheries authorized

Any 2 or more municipalities situated upon any river or stream containing populations of anadromous alewives may, after vote at town meeting, form a district for the purpose of operating a commercial alewife fishery. Such fishery districts shall have exclusive rights to the taking of alewives from the river or stream concerned, shall determine whether it will operate the fishery, or offer the privilege for sale to the highest bidder, shall formulate rules and regulations for the same, compatible with good conservation practices including the locations, the times when and the manner in which alewives shall be taken therein, except 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.

Each town comprising the district shall have equal representation on the directorship of said district, shall be assessed equally for operating costs and shall receive equal distribution of the net income available for distribution to the towns.

There is established a foundation for the purpose of conducting scientific and economic research and management on anadromous fisheries. The Commissioner of Sea and Shore Fisheries, the Commissioner of Inland Fisheries and Game and a 3rd person appointed by the Governor, on the recommendation of the Maine Municipal Association, for a 4-year term shall comprise the directors of said foundation. The foundation shall conduct its research activities with funds received from said alewife fishery districts and from any other available sources.

After payment of operating expenses, the alewife fishery districts shall distribute its net profits as follows: Fifty percent to the foundation for research and management of anadromous fisheries and 50% in equal shares to the municipalities comprising each district.

Rules and regulations formulated by each district for operation of its commercial alewife fishery shall before becoming effective be approved by the Commissioner of Inland Fisheries and Game and by the Commissioner of Sea and Shore Fisheries. Said commissioners may investigate conservation practices by each fishery district and upon finding that the fishery is in danger of destruction for any reason and from any cause, they may suspend a district's privilege to operate.

Any municipality desiring to enter a fishery district after the same has been formed shall do so upon payment of such sums as represent its fair and equitable share of capital equipment and current operating costs as determined by the district.

Sec. 2. Repealer. All exclusive alewife fishery grants heretofore enacted by private and special law are hereby repealed.