

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 145

H. P. 112

House of Representatives, January 7, 1981

Referred to the Committee on Marine Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Jackson of Yarmouth.

Cosponsors: Mrs. Holloway of Edgecomb and Mr. Swazey of Bucksport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Allow the Commissioner of Marine Resources to Lease Rights to Undedicated Alewife Fisheries.

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

12 MRSA § 6131, sub-§ 5, as enacted by PL 1977, c. 661, § 5, is repealed and the following enacted in its place:

5. Leasing of rights. The commissioner may lease alewife fishing rights as follows.

A. When the commissioner decides to manage or lease any alewife fishing rights where a municipality has had those rights and has failed to act as provided in subsection 1, he shall so notify the clerk of the municipality in writing. After the notice, the commissioner may lease any of those rights to any person, as he feels to be in the best interest of the State. All leases shall be in writing, signed by the commissioner and the lessee and shall set forth in detail the exact conditions under which the alewives may be taken, all in accordance with good conservation practices.

B. The commissioner may lease rights to any alewife run to any person where no prior municipal rights have been granted, if the commissioner determines the lease to be in the best interests of the State. All leases shall be in writing,

signed by the commissioner and the lessee and shall set forth in detail the exact conditions under which alewives may be taken, all in accordance with good conservation practices.

STATEMENT OF FACT

This bill is intended to allow the Commissioner of Marine Resources to lease alewife rights in areas where the department has restored or improved runs and where no prior municipal rights are involved.