

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 629

H.P. 462

House of Representatives, February 8, 2005

An Act To Enhance Community Support for Anadromous Fish Restoration

Reference to the Committee on Marine Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLETCHER of Winslow.
Cosponsored by Representatives: ASH of Belfast, JENNINGS of Leeds, PINEAU of Jay,
THOMPSON of China, Senator: GAGNON of Kennebec.

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

4 **Sec. 1. 12 MRSA §6131, sub-§1**, as enacted by PL 1977, c. 661,
§5, is amended to read:

6 **1. Alewife rights.** The commissioner shall grant the right,
exclusive or otherwise, to take alewives to any municipality
8 entitled to those rights on January 1, 1974 and ~~may~~ shall grant
the right to take alewives to any other municipality provided:

10 A. Any municipality that has had the right to take
12 alewives, exclusive or otherwise, or is granted that right
by the commissioner, shall take action through its
14 legislative body and file a copy of this action with the
commissioner prior to April 20th or lose that right for the
16 remaining part of that year;

18 ~~B. Municipal rights in existence on January 1, 1974 which
are not exercised for 3 consecutive years shall lapse;~~

20 C. At its annual meeting the municipality may determine by
22 vote:

24 (1) Whether alewife fishing will be operated by the
municipality through the municipal officers or a
26 committee; and

28 (2) Whether the municipal rights to take alewives will
be sold by the municipal officers or committee; and

30 D. Harvesting plans shall must be developed as follows.

32 (1) Any municipality engaged in harvesting alewives
34 shall submit a written harvesting plan to the
commissioner prior to April 20th of each calendar year.
36 All harvesting plans shall must set forth in detail the
exact conditions under which alewives may be taken, all
38 in accordance with good conservation practices.

40 (2) The commissioner, after consultation with the
appropriate municipal officers, shall approve or modify
42 the harvesting plan as ~~he--deems~~ the commissioner
considers necessary for the conservation of alewives
44 and other anadromous fish, and shall file a copy of the
approved plan with the clerk of the municipality.

46 **Sec. 2. 12 MRSA §6131, sub-§9** is enacted to read:

