

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 163

House of Representatives, Feb. 10, 1911.

Introduced by Mr. Scates of Westbrook, who moved its reference to the committee on Legal Affairs. By Mr. Austin of Phillips tabled for printing pending reference to a committee.

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to establish a department of fisheries and game and
to consolidate existing departments.

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

Section 1. A commission of fisheries and game is hereby
2 established which shall consist of two commissioners, one of
3 whom shall be known as the commissioner of game and the
4 other as the commissioner of fisheries. Said commission
5 shall be provided with offices in the State Capitol, with suit-
6 able furniture, stationery and other facilities for the trans-
7 action of the business of the department, and they may ap-
8 point a clerk. Each of them shall hold his office during
9 the pleasure of the governor and council.

Sect. 2. The office of commissioner of inland fisheries and
2 game is hereby abolished.

Sect. 3. Section 34 of Chapter 32 of the Revised Statutes
2 is hereby repealed.

Sect. 4. The office of commissioner of sea and shore fish-
2 eries is hereby abolished.

Sect. 5. Section 1 of Chapter 41, Revised Statutes, as
2 amended by Chapter 16 of the Public Laws of 1909 is here-
3 by further amended, by striking out the first sentence
4 thereof the word "He" in the second sentence thereof
5 and inserting instead thereof the words "The commissioner
6 of fisheries shall have general supervision of the sea and
7 shore fisheries and shell fish regulated by this chapter and,"
8 so that said section as amended shall read as follows:—

'Sect. 1. The commissioner of fisheries shall have general
10 supervision of the sea and shore fisheries and shell fish regu-
11 lated by this chapter, and shall exercise supervision over all
12 the fisheries and their products taken from tide waters with-
13 in the State including the proper enforcement of all laws
14 relating to the catching, packing, canning, manufacturing,
15 branding and transportation of all kinds of pickled, salt,
16 smoked, fresh canned, frozen, shell, or other fish. He shall
17 make a detailed biennial report in the month of December,
18 showing the amount of capital invested in, number of men
19 employed in, value of products of, and any other informa-
20 tion that he may be able to obtain relating to the sea and
21 shore fisheries, excepting the sardine fishery, concerning

22 which no statement or estimate of the number of cases
23 packed shall be made.'

Sect. 6. Chapter 32 of the Revised Statutes and all acts
2 amendatory thereof or additional thereto, are hereby amend-
3 ed by striking out the words "commissioners of inland fish-
4 eries and game", wherever such words occur and by insert-
5 ing in place thereof the words 'game commissioner' and by
6 striking out the word "commissioners" whenever it occurs
7 and inserting the word 'commissioner.'

Sect. 7. Paragraph 20 of Section 1 of Chapter 116 of the
2 Revised Statutes as amended by Chapter 204 of the Public
3 Laws of 1909 is hereby repealed, and the following is en-
4 acted in its stead:

'Commissioner of shore fisheries, fifteen hundred dollars
6 and actual traveling expenses.'

Sect. 8. Paragraph 21 of Section 1 of said Chapter 116
2 is hereby repealed, and the following is enacted in its stead:

'Commissioner of game, fifteen hundred dollars, and actual
4 traveling expenses. The salary of the clerk of the game
5 commission shall not exceed five hundred dollars.'

Sect. 9. Section 24 of Chapter 123 of the Revised Stat-
2 utes is hereby amended by striking out the words "Commis-
3 sioner of inland fisheries and game" and inserting the words
4 'game commissioner', so that said section as amended shall
5 read as follows:

'Sect. 24. Whoever falsely assumes to be a justice of the
7 peace, sheriff, deputy sheriff, coroner or constable, or in-
8 land fish and game warden or game commissioner, and to

9 act as such, or to require any one to aid him in a matter
10 pertaining to the duty of such office, shall be punished by
11 imprisonment for not less than one year, or by fine not ex-
12 ceeding four hundred dollars.'

Sect. 10. Section 49 of said Chapter 32 is hereby fur-
2 ther amended by inserting the words, 'and land agent' after
3 the word "commissioner" in the second line thereof, so that
4 said section as amended shall read as follows:

'Sect. 49. The governor with the advice and consent of
6 the council upon the recommendation of the game commis-
7 sioner and land agent may appoint suitable persons as fish
8 and game wardens, who shall hold office for a term of three
9 years unless sooner removed, and who shall enforce all laws
10 relating to inland fisheries and game, and all rules and regu-
11 lations in relation thereto, arrest all violators thereof, and
12 prosecute all offenses against the same; said wardens shall
13 have the same power to serve criminal processes against
14 such offenders, and shall be allowed the same fees as sher-
15 iffs, for like services, and they shall have the same right
16 as sheriffs to require aid in executing the duties of their
17 office. They shall, before being qualified to discharge the
18 duties required by this chapter, give bond to the treasurer of
19 state, in the penal sum of two thousand dollars, with two
20 good and sufficient sureties approved by the commissioners
21 of game, conditioned for the faithful performance of the
22 duties of their office. Inland fish and game wardens may
23 serve all processes pertaining to the collection of penalties
24 for violation of inland fish and game laws; fish wardens may

25 be appointed inland fish and game wardens and need not
26 give additional bond.'

Sect. 11. Section 40 of Chapter 32 of the Revised Statutes, Chapter 41 of the Revised Statutes, and all acts additional to or amendatory thereof are hereby amended by striking out the words "Commissioner of sea and shore fisheries" whenever they occur, and substituting the words 'commission of fisheries.'

Sect. 12. The rules and regulations of the commissioners of inland fisheries and game which may be in force when this act takes effect, are hereby adopted as the rules and regulations of said commissioner of game.

Sect. 13. All acts and parts of acts inconsistent herewith are hereby repealed.