

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)

EIGHTY-FOURTH LEGISLATURE

House Document

No. 508

H. P. 1464

House of Representatives, Feb. 28, 1929.

Referred to Committee on Inland Fisheries and Game and
500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Angell of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relating to the Commissioner and Deputy of Inland
Fisheries and Game and Advisory Council.

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

Section 1. *Commissioner and Deputy; how appointed.* A
2 commissioner of inland fisheries and game, and a deputy
3 recommended in writing by him, shall be appointed by the
4 governor with the advice and consent of the council, the
5 commissioner to hold office for three years, and the deputy
6 during the pleasure of the commissioner recommending him;
7 and each shall serve until his successor is appointed and
8 qualified. The commissioner shall make a report to the
9 governor on or before the thirty-first day of December of

10 each year.

Sect. 2. *Duties.* The commissioner shall have general
2 supervision of the administration and enforcement of the
3 inland fish and game laws. Under his direction his deputy
4 shall assist him in the performance of his duties, particu-
5 larly in field work and including the inspection of hatch-
6 eries and similar property, and in supervision of wardens
7 and inspection of warden service. The commissioner shall
8 have an office at the state capitol and adequate facilities for
9 the transaction of the business of his department which
10 shall be known as the department of inland fisheries and
11 game. He may take for scientific purposes fish and game,
12 and may introduce the same into the state and authorize
13 others so to do. He may also maintain a museum in which
14 may be exhibited dead or alive specimens of fish, game
15 birds and animals.

Sect. 3. *Limited Power to Issue Regulations.* Upon peti-
2 tion of a majority of the municipal officers of the town in
3 which the waters or lands to be affected lie, and where
4 said lands or waters lie in unorganized townships then upon
5 petition of a majority of the county commissioners, and
6 after reasonable notice and hearing thereon, at which it is
7 proven and by the commissioner found upon clear and con-
8 vincing evidence that a grave emergency has arisen since
9 the adjournment of the last session of the legislature, and
10 still exists, the commissioner may while the legislature is
11 not in session regulate for not exceeding two years the

12 times, places and circumstances within which wild birds,
13 wild animals, and inland fish may be hunted, fished for, and
14 taken. Provided: the commissioner shall forthwith file a
15 copy of said regulations with the date of adoption thereof,
16 certified by him, with the secretary of state and with the
17 clerk of courts of the counties affected, and shall cause the
18 same to be published three weeks successively in a news-
19 paper published in the county affected; such regulations shall
20 be only in limitation of the state laws and shall not author-
21 ize the taking of fish or game within times, places or cir-
22 cumstances prohibited by the laws of the state; the com-
23 missioner shall use due diligence to ascertain that the said
24 emergency continues and upon finding that said emergency
25 has passed he shall promptly repeal said regulations giving
26 notice thereof in the same manner as provided for the pro-
27 mulgating of the same; and the commissioner shall cause
28 to be posted notices of said regulations in the areas affected
29 thereby. All such regulations shall have the force of law.

Sect. 4. *Advisory Council; Powers and Duties.* An ad-
2 visory council, consisting of seven members appointed by
3 the governor with the advice and consent of his council and
4 chosen one from each of the councilor districts, shall ren-
5 der to the commissioner information and advise concern-
6 ing the administration of the department. Of the first mem-
7 bers of the council appointed under the provisions of this
8 act, three shall be appointed for terms expiring the third
9 Tuesday of January, nineteen hundred thirty-five; two

10 members for terms expiring the third Tuesday of January,
11 nineteen hundred thirty-three; and two members for terms
12 expiring the third Tuesday of January, nineteen hundred
13 thirty-one; thereafter appointment shall be for the term of
14 six years and until successors are appointed and qualified.
15 Upon the death, resignation, or removal from office of any
16 person so appointed, the governor shall appoint, with the
17 advice and consent of his council, a member to serve for
18 the unexpired term. The members of the council shall re-
19 ceive no compensation for their services, but shall be al-
20 lowed actual expenses. The council shall hold meetings
21 with the commissioner or his deputy at the state capitol on
22 the first Thursday of January and July annually and at such
23 other times and places within the state as seem advisable.
24 At the meeting held on the first Thursday of January each
25 year the council may elect one of its members as chairman
26 and one as vice-chairman.

Sect. 5. The following public laws are repealed: public
2 laws nineteen hundred seventeen, chapter two hundred nine-
3 teen, section two, and public laws nineteen hundred nine-
4 teen, chapter two hundred one.