

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 65

H. P. 94 House of Representatives, Jan. 22, 1931.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. MacKinnon of Mexico.

STATE OF MAINE

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

AN ACT Relating to Fish Hatcheries and Feeding Stations.

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

R. S., c. 38, sec. 10; relating to fish hatcheries and feeding stations. Section ten of chapter thirty-eight of the revised statutes is hereby amended by striking out the first sentence thereof and inserting in lieu thereof the following: 'The commissioner of inland fisheries and game for the location, construction, maintenance and convenient operation of a fish hatchery or fish hatcheries and feeding stations for fish may acquire in the name of the state by gift, bequest or otherwise, real and personal property or he may purchase, lease or take and hold, for and in behalf of the state, as for public uses, land and all materials in and upon it or any rights necessary for the purpose of establishing, erecting, and operating fish hatcheries or feeding stations,' so that said section, as amended, shall read as follows:

'Sect. 10. Commissioner may take land for fish hatcheries; appeal. The commissioner of inland fisheries and game for the location, construction, maintenance and convenient operation of a fish hatchery or fish hatcheries and feeding stations for fish may acquire in the name of the state by gift, bequest or otherwise, real and personal property or he may purchase, lease or take and hold, for and in behalf of the state, as for

public uses, land and all materials in and upon it or any rights necessary for the purpose of establishing, erecting, and operating fish hatcheries or feeding stations. For real estate so taken, the owners are entitled to damages, to be paid by the state and estimated by the county commissioners, on written application of either party, made within one year after filing the location as hereinafter provided, or if proceedings thus commenced fail for causes not affecting the merits, new ones may be commenced within one year thereafter. When the commissioner of inland fisheries and game deems that a public exigency requires the taking of any land or rights for the purposes aforesaid, they shall cause the same to be surveyed, located, and so described that the same can be identified, and a plan thereof shall be filed in the registry of deeds in the county, or registry district, where the land or rights are located, and there recorded. The filing of such plan and description shall vest the title to the land and right aforesaid, in the state, or its grantees to be held during the pleasure of the state. Either party, if aggrieved by a decision of the county commissioners rendered in conformity with the provisions of this section, may appeal as in cases of land taken for highways to the superior court in the county in which the land is situated.'