

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1032

S. P. 643

In Senate, March 23, 1933.

Reported by Senators Angell, Schnurfe, Harmon, Hescocck, Burgess, Fogg, and Bussey, from Committee on Inland Fisheries and Game and laid on table to be printed under Joint Rules.

ROYDEN V. BROWN, Secretary.

New Draft of S. P. 315, L. D. 523.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Relating to the Making of Local Regulations for Fishing and Game Sanctuaries.

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

Sec. 1. R. S., c. 38, § 4, amended. Section 4 of chapter 38 of the revised statutes, as amended is hereby repealed and the following enacted in place thereof :

‘Sec. 4. Rules and regulations. Upon petition of the municipal officers or 50 citizens of the town or towns in which the waters or lands to be affected lie, or, upon the petition of the county commissioners in case said waters or lands lie in unorganized townships, or upon the initiative of the commissioner of inland fisheries and game stating the conditions affecting the waters or lands and the regulations which are desired as a remedy, hearing shall be held in the several counties annually at the times and places as may be selected by the commissioner, during the period from September 15th to December 14th; said hearings to be held and rules and regulations promulgated as hereinafter provided; all petitions shall be in the office of the commissioner of inland fisheries and game before the 1st day of September of each year. Notice of hearings to be held and the times

and places thereof shall be published once a week for 2 successive weeks prior to the hearing in a newspaper within the county in which the waters or lands affected lie and in case no newspaper exists, in the state newspaper. Hearings may be held by either the commissioner or deputy commissioner at the discretion of the commissioner who may request the presence of the member of the advisory council, within whose councilor district said waters or lands to be affected lie, at said hearing. Upon the expiration of the period during which said hearings are to be held the commissioner with the advice and consent of the advisory council shall make such rules and regulations as may be deemed advisable within the scope of the hearing so held and cause notice of the same to be published once a week for 2 successive weeks prior to January 1st in a newspaper in the counties wherein the waters or lands to be affected lie or in case no newspaper is published therein said notice shall be published in the state newspaper; and the commissioner shall file a copy of said regulations, certified by him, with the secretary of state and with the clerk of courts of the counties affected; provided, that if in the judgment of the commissioner a grave emergency exists he may hold hearings at any time in the manner and form provided herein, notice of said hearing shall be published once at least five days before said hearing and regulations promulgated as a result of said hearing shall be published once not less than five days after said hearing, in a newspaper in the county where said emergency exists, and if no such newspaper exists then it shall be published as above set forth in the state newspaper, said regulations so promulgated shall take effect on the date of publication thereof and certified copies shall be filed as in the case of annual hearings. All regulations shall be in conformation with the general laws and shall not authorize the taking of fish or game within times, places or circumstances prohibited by the general laws of the state. All rules and regulations promulgated as a result of the regular annual hearings held under this act shall take effect upon January 1st of each year.

Sec. 2. Repealing clause. All acts or parts of acts inconsistent herewith, are hereby repealed.