

MAINE STATE LEGISLATURE

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

Legislative Document

No. 73

H. P. 204

House of Representatives, Jan. 21, 1937.

Referred to Committee on Sea and Shore Fisheries and 500 copies ordered printed. Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Sleeper of Rockland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

**AN ACT to Prohibit Non-residents From Taking Ground Fish For
Commercial Purposes.**

Emergency preamble. Where, the value of our fishing industry in the tide and coastal waters of the state has been materially depreciated, in consequence of residents of other states catching for commercial purposes shore or ground fish in the territorial waters of the state during the fishing season for such fish, and marketing such catches outside of the state of Maine; and

Whereas, said non-resident fishermen, for the aforesaid purpose, will continue to come into and fish in the waters of this state and market their catches outside of the state of Maine, unless prevented by law from so doing, to the detriment of its fishing industry and to the detriment of the prosperity and welfare of resident Maine fishermen whose homes, and other property are situate therein and on which they pay their taxes; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now therefore,

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

Sec. 1. Fishing by non-residents for commercial purposes. The taking or fishing for by a non-resident of the state of Maine, for commercial purposes, any kind of ground fish, by hook, line, trawl or in any other manner, within the territorial waters of the state between the 1st day of April and the 1st day of November in each year for a period of 5 years, is hereby prohibited.

No person whose residence under this act may be in question shall be permitted to make application unless and until he shall have established to the satisfaction of the commissioner of sea and shore fisheries a continuous bona fide residence in the state of Maine for 5 years next immediately preceding the date of his application.

Sec. 2. Penalty. Whoever violates any of the provisions of this act shall, upon conviction, be punished by a fine of not less than \$500 nor more than \$1,000 for the first offense, and for the second offense not less than \$1,000 fine for second and subsequent offenses in default of payment 60 days in jail.

Emergency clause. In view of the emergency recited in the preamble, this act shall take effect when approved.