

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 1136

H. P. 1905

House of Representatives, April 9, 1941.

Reported by Mr. Clapp from Committee on Sea and Shore Fisheries and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

RESOLVE, Relating to Fishing in Penobscot Bay.

Fishing in Penobscot bay. Resolved: That the commissioner of sea and shore fisheries be, and hereby is, directed to repeal rule and regulation numbered 127, relating to use of purse and drag seines in certain waters, of the official rules and regulations of the department, and to issue the following rule and regulation in place thereof:

'No person shall use any purse, drag or stop seines in the following waters:

In Casco bay north of a line drawn easterly from Prince's point in the town of Yarmouth to Bear Island in the town of Phippsburg, excepting for smelts, bluebacks, and spurling; in Kennebec river above a line drawn across said river from Fort Popham in the town of Phippsburg to a point opposite at the lower end of Long Island in the town of Georgetown; in Sheepscot river above a bridge leading from Wiscasset to Edgecomb; in Damariscotta river above a line drawn from Farnham's head in the town of Boothbay to a point opposite on the shore in the town of Bristol, excepting the use of drag seines between the above line and The Ledges, for all fish excepting alewives; in Medomak river, above a line drawn from Martin's point in the town of Friendship, westerly by the northeast end of Hog

Island to a point opposite in the town of Bremen, or take smelts in said river and its tributaries in any other way than by hook and line; in Georges river, above a line drawn from Hooper's point in the town of St. George, westerly past the northerly end of Caldwell's Island to a point opposite on the shore in the town of Cushing, or take smelts in said river and its tributaries in any other way than by hook and line, or dip-nets, and no individual shall take more than $\frac{1}{2}$ bushel of smelts within a period of 24 hours with dip-net; but purse seines and drag seines may be used, from May 15 to December 1 of each year in all bays, inlets, rivers and harbors east of the west shore of the Penobscot bay and river, except in places where private and special laws are to the contrary in which places purse, seines, drag seines and stop seines may be used from May 15 to November 15 of each year for the purpose of catching herring. The use of purse, drag or stop seines within a distance of $\frac{1}{2}$ of a nautical mile measured on the water from any fish weir in any of the waters of the state east of White Head on the west shore of Penobscot bay is hereby prohibited; but such seines may be used for the taking of smelts and for the purpose of taking fish in weirs, but shall not be used in any water in which their use is prohibited by special or general law. Taking or fishing for, by non-residents of the state of Maine, for commercial purposes, herring within the territorial waters of the state is hereby prohibited. No person whose residence may be questioned 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. Whoever violates any provision hereof shall be liable to a penalty of not more than \$500 for each offense, to be recovered by complaint, indictment, or action of debt.'