

# MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

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**Legislative Document**

**No. 358**

S. P. 250

In Senate, February 3, 1949.

Referred to Committee on Sea and Shore Fisheries. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Sleeper of Knox.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-NINE

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**AN ACT Relating to Fish Weirs.**

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

**Sec. 1. R. S., c. 34, § 52, amended.** The 1st paragraph of section 52 of chapter 34 of the revised statutes, as revised, is hereby amended to read as follows:

'No person, as owner, shall operate in coastal waters any weir, floating fish trap or boat engaged in seining until he has procured from the commissioner a written license therefor, and the commissioner shall satisfy himself and require of every applicant by documentary proof that the provisions of sections 7 to 11, inclusive, of chapter 86 have been completely complied with before issuing his license.'

**Sec. 2. R. S., c. 86, § 10-A, additional.** Chapter 86 of the revised statutes is hereby amended by adding thereto a new section to be numbered 10-A, to read as follows:

'**Sec. 10-A. Penalty.** Whoever violates the provisions of sections 7 to 10, inclusive, shall be guilty of a misdemeanor and shall be punished by a fine of \$500, or 11 months in jail, or by both such fine and imprisonment, and shall forfeit all apparatus and material so unlawfully used. Any fish

weir so erected, maintained or extended without a license of the municipal officers shall be deemed a public nuisance without further proof than its use.'

Sec. 3. R. S., c. 86, § 11, amended. Section 11 of chapter 86 of the revised statutes is hereby amended by adding after the 1st sentence thereof a new sentence, to read as follows:

'Each day a weir is maintained without the owner's consent in violation of the provisions of this section shall constitute a separate offense, and if the same is done wilfully the amount of the penalty for each offense shall be doubled and the offender shall forfeit all apparatus and material so unlawfully used to the owner or to be ordered to remove the same as the circumstances require.'