

MAINE STATE LEGISLATURE

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

Legislative Document

No. 106

H. P. 80

House of Representatives, January 17, 1957.

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

HARVEY R. PEASE, Clerk

Presented by Mr. Tarbox of Gouldsboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Taking of Alewives in Town of Sullivan.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment; and

Whereas, it is vitally necessary to conserve the alewife industry in the town of Sullivan; and

Whereas, the inhabitants of the town of Sullivan should have the opportunity to vote upon the proposed legislation at their annual town meeting in 1957; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning 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:

Taking of alewives in the town of Sullivan regulated. Exclusive rights to the taking of alewives from all the waters in the town of Sullivan, Hancock county, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. Provided, however, that there

shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the town of Sullivan and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for in the preceding paragraphs, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this chapter shall be enforced by the municipal officers of the town of Sullivan.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said Commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

Whoever violates any of the provisions of this chapter or any regulations promulgated hereunder shall be punished by a fine of not less than \$10, or by imprisonment for 30 days, or by both.

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