

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1677

S. P. 673

In Senate, May 6, 1958.

Received by unanimous consent. Senate receded and concurred, whereby the bill was referred to the Committee on Inland Fisheries and Game and ordered printed.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-EIGHT

AN ACT Closing Certain Fishways and Waters Near Hatcheries and Feeding Stations to Fishing.

Emergency preamble. Whereas, under the laws of Maine fishing is permitted at dams without fishways; and

Whereas, fishways have been installed in certain dams in the State and will be in operation for the first time this year; and

Whereas, fishing within 150 feet of any dam in which a fishway is located is prohibited; and

Whereas, the following legislation is vitally necessary to prevent unjust hardship on fishermen, both resident and nonresident; 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:

R. S., c. 37, § 42, amended. Section 42 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'Sec. 42. Closing fishways and waters near hatcheries and feeding stations to fishing. No person shall fish within 150 feet of any dam in which a fishway is located. **Except at Upper Dam in Richardsontown (T4 R1) at the outlet of Mooselookmeguntic Lake in Oxford County, at Middle Dam in T C at the out-**

let of Lower Richardson Lake in Oxford County and at East Outlet Dam in Sapling (T1 R7) in Somerset County and in Big Squaw Mountain in Piscataquis County at the outlet of Moosehead Lake, the fishway and the area within 50 feet of any part of these fishways shall be closed to fishing at all times. This section shall not include the taking of alewives and smelts in the manner provided under the laws regulating sea and shore fisheries.

All pools, beginning at a point 200 feet above and running to a point 200 feet below all state fish hatcheries and feeding stations, shall be closed to all fishing at all times.'

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