

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

1929

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Chapter 360.

An Act to Continue the Closed Time on the Tributary of Thompson Lake, Flowing Into Thompson Lake at Oxford, Oxford County, Known in Oxford and Otisfield as Greeley Brook and in Norway as Lombard Brook, Until July Eleven, nineteen Hundred and Thirty-five.

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

Sec. 1. Close time on tributary to Thompson lake; unlawful possession. It shall be unlawful to fish for, take, catch or kill any kind of fish at any time in the tributary of Thompson lake, flowing into Thompson lake at Oxford, Oxford county, known in Oxford and Otisfield as Greeley brook, and in Norway as Lombard brook, before July eleven, nineteen hundred and thirty-five.

It shall also be unlawful for any person to have in possession at any time any kind of fish taken in violation of any provision of this act.

Sec. 2. Penalty for violations. Whoever violates any provision of this act shall pay a fine of not less than ten dollars nor more than thirty dollars and costs for each offense, and one dollar additional for each fish taken, caught, killed or had in possession in violation of this act.

Approved April 13, 1929.

Chapter 361.

An Act to Establish a State Highway Commission.

Emergency preamble. Whereas, the system now provided by law for the administration of the highway department of the state government is deemed by the legislature to be inadequate to serve the best interests of the state, and

Whereas, a situation now exists in the relations between the state highway department as now constituted and the federal government, which imperils the welfare of the state of Maine, and

Whereas, the season for the construction and repair of the state highway system begins annually on or about the fifteenth day of April, which is prior to the period when an act of the legislature not bearing an emergency clause would take effect, and

Whereas, in the judgment of the legislature it is necessary that immediate provision should be made for a reconstitution of the highway department, and

Whereas, in the judgment of this legislature these facts constitute an emergency within the meaning of the constitution of the state of Maine and therefore 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. R. S., c. 25, sec. 3; as amended; relating to appointment of state highway commission, further amended. Section three of chapter twenty-five of the revised statutes, as amended, is hereby further amended by striking out all of said section, as amended, and substituting in lieu thereof the following:

'Sec. 3. Highway commission of three members; tenure of office; choice of chairman; annual report to governor. The state highway commission shall consist of three members one of whom shall be a member of the political party which cast the second highest number of votes in the last gubernatorial election, appointed by the governor, with the advice and consent of the council, for the terms of three years, except that in the appointments to be made when this act becomes effective, the term of one of the members shall be made for one year only, and the term of one other of the members shall be made for two years only. Vacancies occurring during a term shall be filled for the unexpired term. The commission shall choose a chairman from its members every year, and in case of failure to make such choice, the governor shall appoint the chairman. The attorney general shall be attorney for the commission and shall, without additional compensation, give the commission such advice and service as it may from time to time require. The commission shall be furnished with suitable offices at the seat of government. They shall make an annual report to the governor and council of their doings and the expenditures of their office, with such statement relative to the construction and maintenance of public highways and such recommendations as to the general policy of the state relative thereto as they consider appropriate. The report shall be transmitted to the secretary of state on or before the thirty-first day of December each year.'

Sec. 2. R. S., c. 117, sec. 34; relating to salary of state highway commission, amended. Section thirty-four of chapter one hundred and seventeen of the revised statutes is hereby amended by striking out the word "one" which is the last word in the second line of said section, and by inserting in place thereof the word 'three'; and also adding after the word "thousand," which is the first word in the third line of said section, the words 'five hundred,' so that said section, as amended, shall read as follows:

'Sec. 34. Salary of \$3500; actual expenses. Each member of the state highway commission shall receive an annual salary of three thousand, five hundred dollars; they shall also receive their actual expenses incurred in the performance of their official duties.'

Sec. 3. Duties prescribed. Said commission when appointed and qualified under this act shall perform all the duties and may exercise all the

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rights and powers of the present state highway commission, which is hereby abolished.

Sec. 4. Act takes effect when approved. In view of the emergency set forth in the preamble this act shall take effect when approved.

Approved April 13, 1929.

Chapter 362.

An Act Relating to the Regulation of the Taking of Smelts in Sebago Lake and Its Tributaries.

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

P. L., 1917, c. 219, sec. 26; as amended; relating to taking of smelts, etc., further amended. Section twenty-six of chapter two hundred and nineteen, public laws of nineteen hundred and seventeen, as amended, is hereby further amended by striking out all of said section as amended and inserting in its place the following:

Sec. 1. Taking of smelts in all inland waters regulated; bait fish. It shall be lawful, however, to take smelts in all the inland waters of the state above tide waters with a dip-net in the usual and ordinary way, and to catch them through the ice in the day time with single hook and line, at any time, in waters open to ice fishing, but they shall not be taken for sale, or sold at any time, except for bait for fishing in this state.

Provided, however, that it shall be lawful to take smelts with single hook and line, in the day time in Sebago lake, for sale within the state during January, February and March of each year.

Provided, further, that it shall be lawful to take not exceeding twenty-five smelts per person in any one day with single hook and line in the day time in Sebago lake from April first to December thirty-first of each year.

Provided, further, that it shall be unlawful to take smelts with a dip-net in Sebago lake or its tributaries at any time, except that smelts under six inches in length, to be kept alive for bait purposes, may be taken in the Nason brook so called at North Sebago and in that part of Crooked river in the towns of Naples and Casco, from its junction with Songo river up to the bridge on the Theodore Roosevelt highway.

Provided, further, that it shall be unlawful to take smelts at any time in Swan lake, or in any of the tributaries to said lake, in the county of Waldo, in any manner except with single hook and line; and provided, further, that it shall be unlawful to take any smelts at any time during the spawning season from either of the three tributaries flowing into the head of Bryant pond, or Lake Christopher, so called, in the town of Woodstock, in the county of Oxford.