

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

Sec. 4. Licenses; revocation; appeals. The municipal officers may revoke any license issued by them under the provisions of the 3 preceding sections, upon evidence satisfactory to them that the person taking or selling clams, quahogs and mussels, clam-worms or blood-worms has violated any of the laws of the state regulating the taking and sale of clams, quahogs and mussels, clam-worms or blood-worms. If the municipal officers refuse to issue the license provided for in said sections or if a license has been revoked by the municipal officers, a person aggrieved may apply to any justice of the superior court, in term time or vacation, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Sec. 5. Penalty. Whoever violates any of the provisions of sections 1 to 4, inclusive, shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days. Trial justices within their county shall have jurisdiction concurrent with municipal courts and the superior court of prosecutions for violations hereof.

Effective August 20, 1951

Chapter 119

AN ACT Relating to the Taking of Alewives in Winnegance Lake in the City of Bath and the Towns of Phippsburg and West Bath.

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

Taking of alewives in Winnegance lake regulated. Exclusive rights in the taking of alewives from Winnegance lake in the city of Bath and the towns of Phippsburg and West Bath shall be optional with the city and towns.

The city of Bath and the towns at their annual meetings may determine by vote whether the alewife fishing in these waters shall be operated by the city and towns, through their municipal officers or a committee or committees appointed for that purpose, or the privilege offered for sale by said municipal officers or committee or committees; 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 municipal officers of the towns of Phippsburg and West Bath and the city of Bath and a copy of the same filed immediately with the clerks of said towns and city and the commissioner of sea and shore fisheries.

If in any year said towns and city fail to act as provided for in the preceding paragraph, 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 towns of Phippsburg and West Bath and the city of Bath.

If, after thorough investigation, it is the opinion of the commissioner of sea and shore fisheries that the towns and city are not following sound conservation principles in their management of the fishery, said commissioner shall notify the city and 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 such fine and imprisonment.

Effective August 20, 1951

Chapter 120

AN ACT Relating to Clerk Hire of the Lewiston Municipal Court.

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

P. & S. L., 1921, c. 128, § 1, amended. The 1st sentence of section 1 of chapter 128 of the private and special laws of 1921, as amended, is hereby further amended to read as follows:

'The clerk of the municipal court for the city of Lewiston shall receive an annual salary of \$2,300, with ~~\$2,000~~ \$2,260 additional for clerk hire from said city in monthly payments, which sum shall be in full compensation for the performance of all duties required of said clerk by law.'

Effective August 20, 1951