

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Sixth Legislature

1973

CHAPTER 43

AN ACT Relating to Taking Smelts in the Town of Surry, Hancock County.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the taking of smelts in the Town of Surry is an important economic benefit to its inhabitants; and

Whereas, the following legislation is vitally necessary to aid those who derive part of their livelihood from fishing; 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:

P. & S. L., 1959, c. 154, chapter B, § 2-A, amended. Section 2-A of chapter B of chapter 154 of the private and special laws of 1959, as enacted by chapter 82 of the private and specials laws of 1963, is amended to read as follows:

Sec. 2-A. Taking of smelts in Town of Surry. It is unlawful to take or to fish for smelts in any of the tidal waters in the Town of Surry, Hancock County, except by hook and line. During the periods each year from April 1st to June 15th only 4 quarts of smelts may be taken during any one day.

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

Effective March 22, 1973

CHAPTER 44

AN ACT Relating to the Taking of Alewives in the Salmon Falls and Great Works Rivers, York County.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the alewife industry is an important economic industry for certain towns in Maine; and

Whereas, the alewife running begins in the spring of the year; and

Whereas, it is essential that the Town of South Berwick should manage this industrial resource in the spring of 1973; 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:

P. & S. L., 1959, c. 155, § 130-A, additional. Chapter 155 of the private and special laws of 1959, as amended, is further amended by adding a new section 130-A to read as follows:

Sec. 130-A. Taking of alewives in the Salmon Falls and Great Works Rivers. Exclusive rights to the taking of alewives from the Salmon Falls and Great Works Rivers in the Town of South Berwick, York County, shall be optional with the town.

The town, at its annual town meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its council or a committee appointed for that purpose, or the privilege offered for sale by said council 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.

Whenever such regulations are thus provided for, they shall be promulgated by the council of the Town of South Berwick 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 fails to act as provided for, 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 section shall be enforced by the municipal officers of the Town of South Berwick.

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 fisheries, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fisheries, subject to section 3708 of Title 12 of the Revised Statutes of 1964, as amended.

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

Effective March 26, 1973

CHAPTER 45

AN ACT Authorizing a Deficiency Appropriation to the Department of the Attorney General for the Present Fiscal Year.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and