

The Commonwealth of Massachusetts

PRELIMINARY REPORT OF THE SPECIAL
COMMISSION ESTABLISHED TO STUDY
THE LAWS RELATING TO MARINE FISH
AND FISHERIES (INCLUDING SHELLFISH).

[Conservation.]

BOSTON, November 29, 1930.

To the Honorable Senate and House of Representatives.

The special Commission making a survey and revision of the laws of the Commonwealth relating to marine fish and fisheries, including shellfish, herewith respectfully submits a preliminary report.

The Commission was created by chapter 28, Resolves of 1930, which reads as follows:

Resolved, That a special commission, to consist of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, two persons to be appointed by the governor, the attorney general or an assistant attorney general to be designated by the attorney general and either the state supervisor of marine fisheries or some other representative of the division of fisheries and game as designated by the director of said division, shall make a survey and study of the laws of the commonwealth relating to marine fish and fisheries, including shellfish, with a view to the revision, codification and simplification of said laws, and the making of any other improvements therein that may seem advisable. Said commission shall hold hearings and may call upon officers of the department of conservation and other state officers and officers of the several counties and municipalities for such information as may be needed in the course of its work. Said commission shall be provided with headquarters in the state house or

elsewhere and may expend for expert, clerical and other services such sums, not exceeding in the aggregate twenty-five hundred dollars, as may hereafter be appropriated. Said commission shall make a report to the general court by filing its recommendations with the clerk of the house of representatives not later than December first in the current year, with drafts of such legislation as may be necessary to effect the same. *[Approved May 1, 1930.]*

In accordance with the terms of the resolve, the President of the Senate appointed Hon. Frederick E. Judd of Southampton; the Speaker of the House appointed Representatives Ernest J. Dean of Chilmark and Edgar T. Brickett of Hingham; the Governor appointed Heman A. Harding, Esquire, of Chatham and Mr. Gardner Poole of South Sudbury; the Attorney General designated Assistant Attorney General Donald C. Starr of Winchester; and the Director of the Division of Fisheries and Game designated Supervisor of Marine Fisheries Zenas A. Howes of Quincy to membership on the Commission.

The Commission organized July 15 at the State House, and elected Senator Judd, chairman, Representative Dean vice-chairman, and Mr. William E. Mullins of Belmont, secretary.

The Commission forthwith proceeded to outline a program of work for the accomplishment of its aims. After considering the various preliminary methods advanced for its study and revision of the laws it was voted to conduct a series of public hearings.

It was the common mind of the Commission that it should go directly to those chiefly interested in the operation of the marine fish and fisheries laws. Accordingly, after duly advertised notices had been distributed, the Commission conducted open public hearings at Scituate, Hyannis, Wareham, South Dartmouth, the State House, Gloucester and the Commonwealth Fish Pier. Considerable information of a valuable nature was obtained from these sources.

As the cumulative result of its investigations, the Commission found that its members were confronted

with a problem that is tremendous in extent and far-reaching in scope. Many of the chapters of the general and special laws contain references to marine fish, fisheries and shellfish. Some of them are in conflict; others are obsolete. Passage of some new legislation seems desirable.

The wisdom of making a thorough survey of the laws relating to marine fish and fisheries has impressed itself on your Commission during the time it has devoted to its problems. The field of inquiry is so broad and the task so great that, although much work already has been done, it has not yet progressed to a stage where it is possible to make definite conclusions upon which to base recommendations for desirable legislation. The Commission believes it is advisable to take more time for the preparation of its report.

Accordingly, the Commission does now respectfully request the Legislature to adopt an order authorizing the Commission to proceed beyond December first with its work, and to report within thirty days thereafter.

Respectfully submitted,

FREDERICK E. JUDD.
ERNEST J. DEAN.
EDGAR T. BRICKETT.
HEMAN A. HARDING.
GARDNER POOLE.
Z. A. HOWES.
DONALD C. STARR.

