

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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Published by the Secretary of State, in conjunction  
with the Revisor of Statutes in accordance with the  
Resolves of the Legislature approved June 28, 1820,  
March 18, 1840, March 16, 1842 and Acts approved  
August 6, 1930 and April 2, 1931.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1939

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

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‘Sec. 7. Agents and dealers in nursery stock to obtain a license; fee; disposition of fees; revocation of license; penalty. No person, firm or corporation ~~excepting those growing all the nursery stock they sell~~, shall engage in, continue in, or carry on the business of selling or dealing in nursery stock, or solicit purchases of nursery stock within this state, either as owner thereof, or as agent of such owner, without first obtaining a license to carry on and conduct such business in this state. The form of license shall be prescribed by the state horticulturist, and the licenses shall be issued by him upon proper application therefor, ~~and shall be in force for one year from date of issue.~~ The license fee shall be five dollars a year for agents, dealers, salesmen, ~~or solicitors.~~ and shall expire on December 31 of each year. The license fee shall be \$5 per year, excepting that for growers of strawberry, blackberry and raspberry plants, gladiolus, dahlias, and herbaceous plants out-of-doors, and whose total area of land devoted to those plants does not exceed  $\frac{1}{4}$  acre, there shall be no license fee. The license shall be issued in the name of the nurseryman, dealer, solicitor, salesman or agent, as the case may be, and no license shall be assigned or transferred. Licenses of salesmen, dealers, agents or solicitors shall show the name and location of nursery and place of business of the nurserymen or tree dealers whom they represent or from whom they purchase their stock. Each separate agent and each separate store acting under a general agent or store must have a license as provided in this section. Fees obtained from such licenses shall be paid into the state treasury and added to the appropriation of the bureau of horticulture, ~~and shall be used exclusively for the inspection of nursery stock introduced into the state from outside the state to carry out the purposes of this act.~~ Such license may be revoked at any time for failure to comply with the aforesaid requirements, or for such other causes as may in the opinion of the commissioner of agriculture be sufficient. Any violation of this section shall be punishable by a fine of not less than \$10, nor more than \$50 for each offense.’

Approved April 19, 1939.

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## Chapter 248

AN ACT Relating to Jurisdiction Over Lands Ceded to the United States.

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

R. S., c. 2, § 11, amended. Section 11 of chapter 2 of the revised statutes is hereby amended by striking out all of said section after the words “and no longer;”, in the 8th line thereof, and inserting in lieu thereof the following:

'such jurisdiction is granted upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States on and over such lands as have been or may hereafter be acquired by the United States so far as that all civil and criminal process which may lawfully issue under the authority of the state of Maine may be executed thereon in the same manner and way as if said jurisdiction had not been ceded, except so far as said process may affect the real or personal property of the United States.'

Approved April 19, 1939.

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## Chapter 249

AN ACT Relating to the Department of Sea and Shore Fisheries.

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

P. L., 1933, c. 2, § 1, amended. Section 1 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 1. Department of sea and shore fisheries; the commissioner, his duties, appointment; co-operation with commissioner of inland fisheries and game. There shall be a department of sea and shore fisheries which has and shall exercise all the rights, powers and duties vested in the sea and shore fisheries commission, the director of sea and shore fisheries, their wardens, officers, assistants and employees prior to the 1st day of January, 1932. The work of the department shall be organized by the commissioner of sea and shore fisheries (designated hereafter in this chapter as the commissioner). The commissioner shall be appointed by the governor with the advice and consent of the council to serve for 3 4 years, or during the pleasure of the governor and council. Any vacancy in the office shall be filled by an appointment for a like term. He and the commissioner of inland fisheries and game shall co-operate in the distribution and joint deputizing of wardens to the end that overlapping jurisdiction may be effectively supervised according to the provisions of the fish and game laws and this chapter.'

Approved April 19, 1939.