

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Eighty-ninth and Ninetieth  
Legislatures

OF THE  
STATE OF MAINE

From April 21, 1939 to April 26, 1941  
AND MISCELLANEOUS STATE PAPERS

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Published by the Revisor of Statutes in accordance  
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28, 1820, March 18, 1840, March 16, 1842, and Acts  
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## Chapter 306

### AN ACT to Correct a Technical Error in the Unfair Sales Act.

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

P. L., 1939, c. 240, § 2, amended. Section 2 of chapter 240 of the public laws of 1939, is hereby amended to read as follows:

'Sec. 2. Penalty. Any retailer who, with intent to injure competitors or destroy competition, advertises, offers to sell or sells at retail any item of merchandise at less than cost to the retailer, or any wholesaler who, with intent as aforesaid, advertises, offers to sell or sells at wholesale any item of merchandise at less than cost to the wholesaler, shall, ~~if the offender is an individual,~~ be punished by a fine of not more than \$500.'

Approved June 7, 1940

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## Chapter 307

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

**Emergency preamble.** Whereas, owing to the bounty on seals, many of these mammals are being killed near and upon Green Island in Western Bay in the county of Hancock; and

Whereas, these mammals are left there to decay and owing to their number have created a danger to health and created a public nuisance endangering the summer business in said region; and

Whereas, there is a danger to life because of the promiscuous shooting; and

Whereas, if this act does not take effect immediately there will be a great loss to the summer business of the neighborhood; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI 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:*

Sec. 1. P. L., 1933, c. 2, § 5, amended. Section 5 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

**Sec. 5. Fish wardens, appointment; powers; bond.** Fish wardens shall be appointed by the commissioner and shall be removable by him at pleasure. They shall enforce all laws and the rules and regulations relating to sea and shore fisheries; arrest all violators thereof and prosecute all offenses against the same; they shall have the same power to serve criminal processes against such violators ~~and be allowed the same fees as sheriffs for like services.~~ No fish warden shall receive any fee as a complainant or witness, or for making an arrest or for attendance at court, but shall be reimbursed by the state for his actual costs of arrests and actual expenses of travel and attendance. Whenever any fines or penalties are imposed by any court in which a fish warden is complainant or a witness, said court may tax costs for such complainant or witness in the usual manner. They shall have the same right as sheriffs to require aid in executing the duties of their office. They shall, before being qualified to discharge the duties required by this chapter, give bond with 2 good and sufficient sureties or with a surety company authorized to do business in the state, as surety, in the penal sum of \$2,000, approved by the commissioner to the treasurer of state, conditioned for the faithful performance of the duties of their office, provided that in case of emergency, under direction of the commissioner, they may discharge their official duties for a period not exceeding 2 weeks after their appointment and before the filing and approval of said bond.'

**Sec. 2. Hunting seals near Green Island, forbidden.** It shall be unlawful for any person to hunt, shoot at or kill any seal within 2 miles of any part of Green Island in Western Bay in the county of Hancock.

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

Approved June 7, 1940

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## Chapter 308

### AN ACT Providing for Improvement in Military Preparedness.

**Emergency preamble.** Whereas, the facilities for the national guard are far from adequate and handicap proper training of the military forces within the state; and

Whereas, sufficient funds are not available for necessary improvements in the training of the national guard; and

Whereas, the present world catastrophe plainly shows the need of immediate preparedness for national defense; and

Whereas, in the judgment of this legislature, the facts hereinbefore set forth create an emergency within the meaning of section 16 of Article