

MAINE STATE LEGISLATURE

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no ✓

April 15, 1963

Honorable J. Hollis Wyman
Senate Chambers
State House
Augusta, Maine

Dear Senator Wyman:

We are in receipt of your request for an opinion as to the constitutionality of the new draft of S. P. 481, L. D. 1333, which states:

"R. S. C. 37-A, § 72, sub-§ II, E, amended.
Paragraph E of subsection II of section 72 of chapter 37-A of the Revised Statutes, as enacted by section I of chapter 331 of the public laws of 1959, is amended to read as follows:

'E. The dealer who purchases such meat is required to file a monthly statement of shipments received with the commissioner on forms furnished by the commissioner may, notwithstanding the other provisions of this chapter, obtain a permit for the processing of such lobster meat if it conforms to the legal standards of the states or countries from which it originates, provided that the processor gives bond to the commissioner that such meat shall not be sold within the State and that he will comply with all rules and regulations prescribed by the commissioner concerning transportation and processing of such meat. The word "Maine" shall not appear

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on the package in which such lobster
meat is sold or offered for sale. The
commissioner may prescribe such reason-
able rules and regulations as may be
necessary to carry out the intent of
this subsection.' Sec. 2. Expiration
date. This act shall expire September
1, 1965."

We have examined the above-mentioned provision and
are of the opinion that it is not violative of either
the state or federal constitutions.

Sincerely yours,

Wayne B. Hollingsworth
Assistant Attorney General

WBH/slf