

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 49

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT for the better protection of lobsters.

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

Section 1. For the purposes of this chapter the word 'per-
2 son' shall mean and include, individual, firm, partnership,
3 association or corporation. 'Department' shall mean depart-
4 ment of sea and shore fisheries. 'Commissioner' shall mean
5 commissioner of sea and shore fisheries.

Sect. 2. No person shall catch any lobster or engage in
2 any branch of the lobster industry without having first
3 obtained from the department an annual license. Common
4 carriers are exempt from the provisions of this act.

Sect. 3. Licenses shall be classified as follows: (A) Resident. (B) Non-resident, which shall include all persons not bona-fide residents of the State and actually domiciled there. Resident and non-resident licenses shall be further classified into fisherman's, smackman's, retailer's, wholesaler's, pound-owner's and canner's. Any person catching lobsters from the sea shall be deemed a fisherman. The meaning of smacksman, retailer, wholesaler, pound-owner and canner shall be the generally understood and accepted meaning of the terms in the regular lobster trade. The license fees for both resident and non-resident as above classified shall be fisherman, one dollar; smacksman, five dollars; retailer, five dollars; wholesaler, fifty dollars; pound-owner, fifty dollars; canner, one hundred dollars. A person engaged in more than one branch of the industry must have a license for each branch. Licenses shall be non-transferable as to persons but as to localities may be transferred by consent of the commissioner endorsed on the license. The annual license year shall run from July first to June thirtieth next following inclusive. A license may be issued on any date but all licenses shall expire June thirtieth next following. On and after January first in any year a license good until June thirtieth next following may be issued for one-half the above fees.

Sect. 4. No license shall be issued to a non-resident unless he shall file with his application a bond with two sureties who are residents of this State; the bond shall run to the

4 treasurer of the State of Maine and be accepted by him when
5 approved in writing by the commissioner. The obligation
6 of the bond shall be in substance to conform to the laws of
7 the State of Maine relating to the lobster industry and the
8 bond shall be liable for the payment of all fines and penal-
9 ties upon conviction of the principal. The bond for a fish-
10 erman license shall be in the sum of one hundred dollars;
11 for all other licenses one thousand dollars.

Sect. 5. Persons desiring a license shall make written ap-
2 plication to the commissioner, giving full name and address
3 of applicant also stating in what place the business is to be
4 carried on. All licenses shall be numbered and a careful
5 record of the same kept in the office of the commissioner.
6 The holder of a license shall forthwith produce the same
7 for inspection when requested so to do by any officer author-
8 ized by law to enforce any of the provisions of this act; fail-
9 ure to produce the same shall render liable the one to whom
10 the license was issued, to the same penalty as if none had
11 been issued.

Sect. 6. Any person engaging in any branch of the lob-
2 ster industry without having first obtained a license as here-
3 in set forth shall upon conviction be liable to a fine of not
4 less than twenty nor more than one hundred dollars for each
5 offense and a further penalty of ten dollars for every day
6 engaged in said business without said license. The commis-
7 sioner may revoke any license when the person holding the
8 same has been convicted by a court of competent jurisdiction

9 of a violation of any of the statutes of this State relating to
10 the sea and shore fisheries. The commissioner may in his
11 discretion issue a new license to a person whose license has
12 been revoked for good and sufficient reason. Any person
13 whose license has been revoked may appeal to the governor
14 and council and their decision shall be final.

The commissioner may with the approval in writing of the
16 governor and council make such rules and regulations to car-
17 ry out the provisions of this act, as he may deem necessary.

Sect. 7. All moneys received by the commisioner from
2 license fees, fines, penalties or collections shall be paid to the
3 treasurer of State to be added to and made a part of the
4 appropriation for sea and shore fisheries.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, January 29, 1909.

Reported by Mr. KELLEY from Committee on Shore Fish-
eries and ordered printed with five hundred extra copies printed.

E. M. THOMPSON, *Clerk.*