

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 248

House of Representatives, Feb. 18, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Sea and Shore Fisheries.

Committee on Reference.

Presented by Mr. Goldthwait of Biddeford.

STATE OF MAINE

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

AN ACT to provide for licensing lobster fishermen and the
better protection of the lobster fisheries.

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

Section 1. No person shall catch or take any lobsters from
2 any of the waters within the jurisdiction of this state; or
3 set, maintain or draw, in or from any of said waters, any
4 trap or other contrivance designed or adapted for the catch-
5 ing or taking of lobsters, or cause the same to be done; and
6 no citizen of this state shall engage in lobster fishing un-
7 less licensed so to do as hereinafter provided.

Sect. 2. The Commissioner of Sea and Shore Fisheries
2 shall grant licenses to fish for, catch and take lobsters in

3 and from the waters within the jurisdiction of this state to
4 citizens thereof, making application upon blanks provided
5 for that purpose, who have resided therein for at least one
6 year next preceding such application, upon the payment of
7 a fee of twenty-five cents for the use of the state. Said
8 commissioner shall issue to each person licensed a certificate
9 stating the name and residence of such person, the date of
10 issue, the date of beginning and expiration and the number
11 of such license, and that the same will be forfeited upon the
12 violation of any law relating to lobsters or the lobster fish-
13 eries, and supply a badge having thereon the license number
14 and such other inscription as said commissioner may deter-
15 mine. All licenses shall expire on the first day of July next
16 after they become effective but may be renewed by said com-
17 missioner from year to year. Any licenses issued as renew-
18 als shall bear the original license number.

Sect. 3. Every person engaged in lobster fishing shall at
2 all times while so engaged, wear upon his person the badge
3 issued to him, and shall at all times, upon demand of any
4 person or officer authorized to enforce the law relating to
5 lobsters, exhibit said badge or license issued to him, and no
6 person shall make use of any other number or license than
7 the one issued to him thereunder.

Sect. 4. The Commissioner of Sea and Shore Fisheries
2 shall, after notice and opportunity for the licensee to be
3 heard, revoke the license of any person whom he shall find
4 has violated any law of this state relating to lobsters, or has

5 permitted his number or license to be used by any other per-
6 son. The license of any person who shall be convicted of
7 violating any law relating to lobsters shall be void. In
8 either case the license and number shall be immediately sur-
9 rendered. No new license shall be issued for a period of
10 one year after a conviction. After the revocation of a li-
11 cense by him, and after one year from the time of such
12 conviction, said commissioner for cause shown may issue
13 a new license, but shall not issue any new license after a
14 second conviction. Any license issued to any person whose
15 license has once been revoked or made void, and who has
16 not been granted a new license in accordance with this sec-
17 tion, shall be of no effect, and shall be surrendered. Upon
18 the revocation of a license by the commissioner, the party
19 holding such license may appeal to any Justice of the Su-
20 preme Judicial Court, by making written application to such
21 justice within ten days after notice that his license is re-
22 voked, and such justice, after notice to the commissioner,
23 and hearing, may reinstate such license, if he shall deter-
24 mine that the finding of said commission is erroneous. Pend-
25 ing such appeal, said license is suspended and of no effect.

Sect. 5. All traps, buoys, cars or other contrivances used
2 for catching or storing lobsters shall be marked in a plain
3 and conspicuous manner with the license number of the
4 owner or person using the same, in figures not less than
5 one and one-half inches in length. Where numbers are re-
6 quired as provided in this section, it shall not be necessary

7 to have the owner's name. All traps, buoys, cars or other
8 contrivances used for catching or storing lobsters, contrary
9 to this act, shall be seized by any officer authorized to en-
10 force such law, and forfeited to the state.

Sect. 6. No person other than officers authorized to en-
2 force the law relating to lobsters, shall raise any pot, trap
3 or other contrivance belonging to any person licensed under
4 this act, and marked as herein provided, save only such li-
5 censed person or a person by him authorized.

Sect. 7. Whoever violates any of the provisions hereof
2 shall be subject, upon conviction, to a fine of not less than
3 ten or more than fifty dollars, or imprisonment for not more
4 than thirty days, or both.

Sect. 8. No person shall be adjudged guilty of a viola-
2 tion of this act who shall have a license within thirty days
3 after it takes effect.

Sect. 9. All provisions inconsistent herewith are hereby
2 repealed.