

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 616

H. P. 1155

House of Representatives, Feb. 9, 1933.

On motion of Mr. Goudy of South Portland taken from the table and on further motion by same gentleman referred to the Committee on Sea and Shore Fisheries and 500 copies ordered printed. Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Goudy of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Relating to the Purchase and Sale of Lobsters.

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

Sec. 1. New classification of lobster licenses. The commissioner of sea and shore fisheries in addition to the licenses provided for in section 21 of chapter 50 of the revised statutes, may issue to any person, firm or corporation engaged in the lobster business in this state and holding a license of the third class as specified in said section 21 of chapter 50 of the revised statutes an additional license to be designated a license of the fifth class which shall permit the holder thereof to transport into and within the state or receive within the state lobsters produced in Canada which are not less than three and one-eighth and not more than three and one-half inches in length measured in accordance with the method provided for in section 37 of chapter 50 of the revised statutes and to impound the same within the state and to sell them outside of the state for consumption wholly outside of the state.

Sec. 2. Applications for licenses. Applications for licenses of the fifth class provided for in section 1 shall contain agreements by the applicant not to sell within the state any of such lobsters so transported into the state except to another dealer licensed under this act; to allow without let or hindrance inspection by the commissioner of sea and shore fisheries,

or his wardens, of any vessel, smack, truck, or other means of transportation, pound or car, used in connection therewith; and to abide by all the laws of this state relating to lobsters of less than minimum legal size. The application shall further contain an agreement that the full penal sum of the bond herein provided for shall be forfeited to the state on breach of any term in said application, and license issued on receipt of said application shall state the terms on which the license is issued and that it is issued in consideration of agreements of the applicant. Before said license is issued the applicant shall file with the commissioner of sea and shore fisheries a bond with sureties approved by the commissioner of sea and shore fisheries in the penal sum of \$5,000.00 conditional that said sum shall be forfeited to the state upon breach of any agreement in the application and license. The fee for said license shall be \$250.00 and all such licenses shall terminate on the last day of June next after the issuance thereof, and they may be renewed on the same terms and conditions and on payment of the same fee and on filing of said bond for yearly periods thereafter. Conviction of the licensee for wilful violation of any statute of Maine relative to lobsters of less than minimum legal size or breach of any agreement of application and license shall render the license void and make the full penal sum of the bond due to the state of Maine. The commissioner of sea and shore fisheries may revoke said license when he has evidence that the licensee has wilfully violated any of the provisions of his license or of the lobster laws of the state.

Sec. 3. License holders may transport lobsters. Holders of such licenses may transport into and within the state or receive within the state such lobsters under the supervision of the commissioner of sea and shore fisheries, or his wardens, by any means of transportation including shipments by common carrier and may, under the supervision of said commissioner of sea and shore fisheries transport such lobsters out of the state and deliver such lobsters to any carrier for transportation outside of the state.

Sec. 4. Exceptions. It shall not be necessary for smackmen or truck drivers in charge of smacks or trucks engaged in transportation and owned by a lobster dealer holding such license to procure separate licenses.