

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 846

(Transmitted from the Revisor of Statutes under Joint Order)

H. P. 1555 House of Representatives, February 14, 1941.
Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Race of Boothbay.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to Lobster Truckmen's Licenses.

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

P. L., 1933, c. 2, § 73, amended. Section 73 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 73. Licenses; fees; report by commissioner. The commissioner shall grant and issue licenses in the lobster industry to such persons, except as is herein otherwise provided, who may make written application therefor on blanks furnished by said commissioner, but no such license shall be issued to any class of applicants unless all questions asked or information sought or called for in said application shall have been completed to the satisfaction of said commissioner. Such licenses shall be divided into 4 classes, namely: 1st class, fishermen's licenses; 2nd class, selling licenses; 3rd class, shipping licenses; 4th class, smackmen's licenses. Licenses of the 1st class, fishermen's licenses, shall be issued only to such persons as have been, for 10 years prior to the date of application, a resident of the state of Maine, and provided further, that no such license issued shall entitle the holder thereof to use any pots, traps, boats, trawls or other contrivances

used for the catching or taking of lobsters within the waters adjacent to the county of York, unless the commissioner of sea and shore fisheries is satisfied that the applicant therefor has the bona fide intention of becoming a legal resident of said county of York, except that any person who has heretofore been a resident of this state, but for a time resident elsewhere, and returns to the state of Maine for the purpose of establishing and maintaining a bona fide residence therein, may, if otherwise entitled, receive such license in which case such nonresidence may be taken as a part of said 10 years, provided, however, that such person who satisfies the commissioner of his residence in good faith in the state for the period of 3 years next preceding his application, may receive such license. Licenses of the 2nd class, selling licenses, shall be issued only to persons, firms, or corporations conducting hotels, restaurants, or boarding-houses, or to persons, firms or corporations engaged in the business of buying and selling lobsters. Licenses of the 3rd class, shippers' licenses, shall be issued only to persons, firms, or corporations engaged in the lobster business in this state or other states to buy, sell and ship lobsters. Licenses of the 4th class, smackmen's, **or truckmen's**, licenses, shall be issued only to smackmen, **or truckmen**, to buy, sell and transport lobsters by smack ~~or~~, **boat, automobile or truck**. Applications for licenses shall be made upon special forms provided by the commissioner as above set forth. Violations of the agreements of the application shall render the license thereon void.

Dumping, destroying or removing any bag, box or other receptacle, or failing to stop after command of the commissioner or his wardens, or when pursued by the commissioner, or his wardens, shall be evidence of violation of the agreement of his application and the license of such person shall be revoked, after public hearings before the commissioner. The said commissioner shall keep the clerks of various cities, towns and plantations bordering on the seashore and other clerks who request them, supplied with blank applications; said clerks shall keep a supply of them on hand and furnish them to applicants. All applications when filled out shall be forwarded to the office of said commissioner together with fees for same, which fee shall be \$1 for any license or for any renewal thereof. All licenses shall expire annually on the last day of June unless sooner revoked as provided in section 79. The commissioner, in his biennial report, shall state the number of licenses granted. He shall issue to each person, firm or corporation licensed as aforesaid a certificate, stating the name of the person, firm or corporation to whom such license shall be granted, the number of said license and the date of the expiration thereof.'