

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# NINETY - THIRD LEGISLATURE

---

---

**Legislative Document**

**No. 667**

---

---

H. P. 1031

House of Representatives, February 11, 1947.

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Prout of Lubec.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SEVEN

---

### **AN ACT Relating to the Packing of Sardines Caught Outside the Territorial Waters of the State of Maine.**

---

**Emergency preamble.** Whereas, the legislature of Maine in special session from January 12 to 25 in 1942 amended the revised statutes and again but in regular session, the Maine legislature of 1945 continued the suspension of the statute providing for a longer legal term for packing sardines by an act of the legislature of 1945, did not repeal but suspended this statute. Therefore, since January 1, 1947, it is prohibited from taking herring from any source from the 1st day of December to the 15th day of the following April for packing sardines, and

Whereas, a state of war has existed between the United States, Germany, Italy, Japan and other foreign countries, and

Whereas, as a result, fish is now greatly needed for food and there seems to exist a real scarcity of all protein food at the present time, and an amendment to the law for lengthening the legal season for packing sardines seems very necessary at once, and

Whereas, in the judgment of this legislature, it is necessary that immediate provision should be made that will provide for a longer season for packing fish from outside the territorial waters of Maine, for food purposes, and

Whereas, in the judgment of this legislature these facts constitute an emergency within the meaning of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of public peace, health and safety, now, therefore,

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

**Sec. 1. R. S., c. 27, § 198, amended.** Section 198 of chapter 27 of the revised statutes is hereby amended to read as follows:

**'Sec. 198. Packers to be licensed by commissioner.** No person, firm, corporation, association, or society shall pack sardines within the state for sale without having first filed with the commissioner an application for license accompanied with a fee of \$50 upon receipt of which application the commissioner shall issue to the person, firm, corporation, association, or society making such application a license to pack sardines as hereinafter provided. Each such license shall cover one group of buildings constituting a packing plant in one location. Said license shall run from April 15th to December 1st of each year, unless sooner revoked as herein provided and shall be renewed annually thereafter. **Provided, however, that for the packing of fish caught outside the territorial waters of the state of Maine said license shall run from January 1st to December 31st of each year, unless sooner revoked as herein provided, and shall be renewed annually thereafter.'**

**Sec. 2. R. S., c. 34, § 24, amended.** Section 24 of chapter 34 of the revised statutes is hereby amended to read as follows:

**'Sec. 24. Rules governing sale or packing of herring; penalty; enforcement by commissioner.** Whoever takes, preserves, sells, or offers for sale between the 1st day of December and the 15th day of the following April, any herring **taken from the territorial waters of the state of Maine** for canning purposes less than 8 inches long, measured from one extreme to the other, or packs or cans sardines of any description **taken from the territorial waters of the state of Maine**, between the 1st day of December and the 15th day of the following April, forfeits \$20 for every hundred cans so packed or canned, and for every hundred herring so taken. All cans shall be decorated, stamped, or labeled with quality, packer's name and place of business, or merchant's name for whom the same are packed, except sardines packed in plain cans and shipped for buyers' labels or cartons. Whoever sells or offers for sale any sardines in cans not so decorated or labeled, shall forfeit \$1 for every can so sold or offered for sale, to be recovered by complaint, indictment, or action of debt. **Provided, that**

the restriction as to the time of preserving, selling, offering for sale, packing, or canning applies only to herring taken in the territorial waters of the state of **Maine.**'

**Emergency clause.** In view of the emergency cited in the preamble, this act for all purposes shall take effect when approved.