

# MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

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Legislative Document

No. 1439

H. P. 2032

House of Representatives, April 5, 1949

Reported by Mr. Littlefield from the Committee on Sea and Shore Fisheries and printed under Joint Rule No. 10.

HARVEY R. PEASE, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-NINE

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**AN ACT Relating to Retail Dealers' Licenses.**

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

**R. S., c. 34, § 111, amended.** Section 111 of chapter 34 of the revised statutes, as revised, is hereby amended to read as follows:

**'Sec. 111. Retail dealer's license required to sell, ship or transport soft shelled clams, quahogs or lobsters, or parts thereof.** No person, except as ~~hereinafter~~ provided in this chapter, shall buy ~~and~~, sell, ship or transport in any manner any ~~fresh fish, shellfish, lobsters or crabs~~ **soft shelled clams, quahogs or lobsters**, or parts thereof, without first having procured from the commissioner a written license therefor.

A license, designated as a retail sea food dealer's license, shall entitle the holder, as a retail dealer, to buy ~~and~~, sell, serve, ship and transport ~~fresh fish, shellfish, lobsters or crabs~~ **soft shelled clams, quahogs or lobsters**, or parts thereof, within the limits of the state.

The fee for such license shall be ~~\$5~~ **\$3**, provided that a separate license shall be required for each market, store or other facility where ~~fresh fish, shellfish, lobsters or crabs~~ **soft shelled clams, quahogs or lobsters** are sold in retail trade.

A retail sea food dealer's license shall not be required of a person to transport ~~fish, shellfish, lobsters or crabs~~ **soft shelled clams, quahogs or lobsters**, or parts thereof, that are possessed by him for immediate consumption by himself and his family, nor of a properly licensed fisherman who, by virtue of his fishing license, may transport and sell **within the state** any species that has been lawfully taken by him, nor of a common carrier engaged in carrying freight on a fixed schedule within or without the state, provided that such ~~fish, shellfish, lobsters or crabs~~ **soft shelled clams, quahogs or lobsters**, or parts thereof, are received by said common carrier at one of his regular established places on land for receiving general freight and the receptacle containing the same is plainly marked in accordance with law.

~~Any dealer licensed under the provisions of this section, who buys lobsters in excess of 50 pounds at one time, shall record the license number of the seller and shall keep such record for 1 year, which record shall be available for the inspection of any warden of the department.~~