

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1937

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

CHAP. 32

'8. Any fishing or hunting license or permit of any kind issued by authority of this chapter, which shall have been procured through fraud, misstatement or misrepresentation of any kind, shall be null and void, so also shall be any license or permit procured by any person during the period for which a license or permit held by said person shall have been suspended or revoked. Any person who shall procure a fishing or hunting license or any other license or permit of any kind issued under the provisions of this chapter either by fraud, misstatement or misrepresentation of any kind, or who shall procure a license or permit during the period for which his license or permit is suspended or revoked, shall be subject to the penalties as set forth in section 107.'

Approved March 4, 1937.

Chapter 32

AN ACT to Prohibit Non-residents From Taking Ground Fish For Commercial Purposes.

Emergency preamble. Whereas, the value of our fishing industry in the tide and coastal waters of the state has been materially depreciated, in consequence of residents of other states catching for commercial purposes shore or ground fish in the territorial waters of the state during the fishing season for such fish, and marketing such catches outside of the state of Maine; and

Whereas, said non-resident fishermen, for the aforesaid purpose, will continue to come into and fish in the waters of this state and market their catches outside of the state of Maine, unless prevented by law from so doing, to the detriment of its fishing industry and to the detriment of the prosperity and welfare of resident Maine fishermen whose homes, and other property are situate therein and on which they pay their taxes; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore,

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

Sec. 1. Fishing by non-residents for commercial purposes. The taking or fishing for by a non-resident of the state of Maine, for commercial purposes, any kind of ground fish, by hook, line, trawl or in any other manner, within the territorial waters of the state between the 1st day of April and the 1st day of November in each year for a period of 5 years, is hereby prohibited.

No person whose residence under this act may be in question shall be permitted to make application unless and until he shall have established to the satisfaction of the commissioner of sea and shore fisheries a continuous bona fide residence in the state of Maine for 5 years next immediately preceding the date of his application.

Sec. 2. Penalty. Whoever violates any of the provisions of this act shall, upon conviction, be punished by a fine of not less than \$500 nor more than \$1,000 for the 1st offense, and for the 2nd and subsequent offenses not less than \$1,000 and in default of such payment shall be punished by imprisonment for 60 days in jail.

Emergency clause. In view of the emergency recited in the preamble, this act shall take effect when approved.

Approved March 4, 1937.

Chapter 33

AN ACT Requiring All Resident Fishermen of Ground Fish to Obtain License.

Emergency preamble. Whereas, for the purpose of procuring reliable information for the department of sea and shore fisheries as to the value of moneys invested and values of ground fish caught in Maine tidal and coastal waters it is necessary that further reliable information be had thereon in order the more completely to ascertain the true value of the industry to the state of Maine; and

Whereas, such information is required by law to be furnished only in part; and

Whereas, the business of catching ground fish is a large and important part of the coast fishing industry of Maine; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

License provided for. Any person qualified to apply for a license to catch ground fish for commercial purposes in the tidal or coastal waters of the state must apply to the commissioner of sea and shore fisheries for such license and state in his application as nearly as may be, on a blank