

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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ACTS AND RESOLVES

AS PASSED BY THE

Ninetieth Legislature

OF THE

STATE OF MAINE

AT THE

SPECIAL SESSION

January 12 - January 24, 1942

Supplementary to the Acts and Resolves of the Regular Session

for in section 76 and as a part of the fee for obtaining and retaining his license.'

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

Effective January 24, 1942

Chapter 319

AN ACT Regulating the Legal Length of Lobsters.

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

P. L., 1933, c. 2, § 89, amended. Section 89 of chapter 2 of the public laws of 1933, as amended, is hereby further amended to read as follows:

'Sec. 89. **Legal size of lobsters and method of measurement; penalty; prohibitions; penalties.** No person shall buy, or sell, give away, or expose for sale, or possess for any purpose any lobsters less than ~~3~~ $3\frac{1}{8}$ inches or more than 5 inches in length, alive or dead, cooked or uncooked, measured from the rear of the eyesocket along a line parallel to the center line of the body shell to the rear end of the body shell; and any lobster shorter than ~~3~~ $3\frac{1}{8}$ inches when caught shall be immediately liberated alive at the risk and cost of the parties taking it, under a penalty of \$5 for each lobster so caught, bought, sold, given away, exposed for sale, or in possession, and any lobster longer than 5 inches when caught shall be immediately liberated alive at the risk and cost of the parties taking it, under a penalty of \$25 for each lobster so caught, bought, sold, given away, exposed for sale or in possession. The possession of mutilated lobsters, cooked or uncooked, shall be prima facie evidence that they are not of the required length. Measures for determining the legal length of lobsters shall be provided by the state and may be obtained from the commissioner of sea and shore fisheries at cost. No evidence shall be received in any of the courts of the state in any manner in which the length of a lobster is in question unless such length has been determined by such a measure. Whoever ships, transports, carries, buys, gives away, sells, or exposes for sale lobster meat after the same shall have been taken from the shell, without the tail meat being whole and intact, and not less than $4\frac{1}{4}$ inches nor more than $6\frac{1}{2}$ inches in length, when laid out straight and measured from end to end, not including the small part that is on the body end of the tail meat, shall be liable to a penalty of \$10 for each pound of meat, so shipped, transported, carried, bought, given away, sold, or exposed for sale. Any person or corporation in the business of common carrier of merchandise who shall

knowingly carry or transport from place to place lobster meat after the same shall have been taken from the shell, without the tail meat being whole and intact and not less than $4\frac{1}{4}$ inches nor more than $6\frac{1}{2}$ inches in length when laid out straight and measured as above provided, shall be liable to a penalty of \$50 upon each conviction thereof. All lobster meat so illegally shipped, carried, bought, given away, sold, or exposed for sale shall be liable to seizure and may be confiscated.

The commissioner in his discretion may issue permits to dealers who request them, on payment of \$10, whenever said commissioner is satisfied that said applicant for permit will take meat only from legal lobsters. Persons, firms or corporations holding permits are required to put on each package of meat the name and number of their license, place of business, date meat was taken from shell and number of pounds in package or other container and the purchaser shall be required to hold all data referring to lobster meat until the meat is sold. Any person violating the terms of his permit shall be punished by the fines and penalties provided in section 72.'

Effective April 3, 1942

Chapter 320

AN ACT to Prohibit Non-Residents from Taking Certain Fish for Commercial Purposes.

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 fish, except herring, by hook, line, trawl or in any other manner, within the territorial salt waters of the state between the 1st day of April and 1st day of November in each year, including such part of said period in the year 1942 as falls after the effective date of this act, is hereby prohibited.

No person whose residence under this act may be in question shall be permitted to make application for a license to so fish 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 3 years next 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 or by imprisonment for not less than 2 months nor more than