

# 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

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Published by the Revisor of Statutes in accordance  
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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

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Supplementary to the Acts and Resolves of the Regular Session

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

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## 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

6 months, or by both such fine and imprisonment. Any person convicted of any subsequent offense shall be punished by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not less than 6 months nor more than 11 months, or by both such fine and imprisonment.

Effective April 3, 1942

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## Chapter 321

### AN ACT Relating to the Transportation of Firearms by Police Officers.

**Emergency preamble.** Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires 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:*

**Transportation of firearms by police officers legalized.** Section 46 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 46. **Hunting from automobiles prohibited.** It shall be unlawful for any person to hunt any wild bird or wild animal at any time from an automobile, or by aid or use of any light or lights carried thereon or attached thereto. It shall be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. No person, **except a duly constituted law enforcement officer while in the line of duty**, shall have a rifle or shotgun, either loaded or with a cartridge in the magazine thereof, in or on any motor vehicle while the same is upon any highway or in the fields or forests.'

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

Effective January 24, 1942