

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

ber and December, and the time may be extended by the commissioner upon written application, and the extension shall also be in writing signed by the commissioner.'

Effective August 13, 1947

Chapter 42

AN ACT Relating to the Packing of Sardines.

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 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 herein-

PUBLIC, 1947

CHAP. 43

after provided. Each such license shall cover one group of buildings constituting a packing plant in one location. Said license shall run from ~~April 15th~~ March 1st to ~~December 1st~~ December 15th 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~~ 15th day of December and the ~~15th day of the following April~~ 1st day of the following March, any herring for canning purposes less than 8 inches long, measured from one extreme to the other, or packs or cans sardines of any description between the ~~1st day of December~~ 15th day of December and the ~~15th day of the following April~~ 1st day of the following March, 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.'

Revisor's note: See Sea and Shore Fisheries Revision, § 34.

Sec. 3. Limitation. The provisions of this act shall remain in effect for the period of 2 years after which period the present statute shall return to full force and effect.

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

Effective February 27, 1947

Chapter 43

AN ACT Relating to Erroneous Charges by Public Utilities.

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

R. S., c. 40, § 61, amended. The 2nd sentence of section 61 of chapter 40 of the revised statutes hereby is amended to read as follows:

'The commission may authorize reparation or adjustment where the utility admits that a rate charged was excessive or unreasonable or collected