

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
with Chapter 10 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

which relates to the salary of the county treasurer of Kennebec county, is hereby further amended to read as follows:

'Kennebec, ~~\$2,000~~ \$2,500.'

Effective August 13, 1947

Chapter 285

AN ACT Relating to Salary of Governor.

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

Sec. 1. R. S., c. 11, § 1, amended. The last paragraph of section 1 of chapter 11 of the revised statutes is hereby amended to read as follows:

'The governor shall receive an annual salary of ~~\$5,000~~ \$10,000.'

Sec. 2. Effective date. The provisions of this act shall become effective on the 1st Wednesday of January, 1949.

Effective January 5, 1949

Chapter 286

AN ACT Providing for Restoration and Development of Shellfish Resources.

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

R. S., c. 34, §§ 108-A-108-D, additional. Chapter 34 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 108-A to 108-D, inclusive, to read as follows:

'Sec. 108-A. Commercial shellfish license provided for. No person shall dig or take for sale any clams, quahaugs or mussels until he has procured from the commissioner a license therefor.

A license designated as a commercial shellfish license shall be issued only to residents of the state who shall make written application for the same. The fee shall be \$3 and it shall entitle the holder to dig or to take clams, quahaugs and mussels for sale and to transport and sell the same in the shell within this state.

Revisor's note: See Sea and Shore Fisheries Revision, § 110-A.

Sec. 108-B. Shellfish shucking regulated; license provided for. No person, firm or corporation shall shuck or remove from the shell for sale, any clams, quahaugs or mussels except as provided in this chapter.

No person, firm or corporation shall shuck or remove from the shell for sale any clams, quahaugs or mussels without first having procured therefor a certificate from the commissioner of agriculture and a license from the commissioner of sea and shore fisheries.

Application for a shellfish shucking certificate shall be made by applicants on blanks furnished by the commissioner of agriculture. Each application for a shellfish shucking certificate must be signed by the applicant and must show the exact locality of the flats from which clams, quahaugs and mussels are to be dug or taken, and the location within the state of the shucking house described in the application. The application shall also bear the names of all persons digging clams, quahaugs and mussels for the applicant.

If the commissioner of agriculture is satisfied that the shucking house and premises conform to the regulations and standards of purity and quality established by the U. S. Public Health Service and the laws and regulations of the state of Maine, he may issue the applicant a certificate, without fee. Such certificate shall bear a number and such certificate shall designate, by local name, the area from which clams, quahaugs and mussels can be dug and sold.

Shellfish shucking certificates issued under the provisions of this section shall expire at midnight on December 31st of the calendar year in which they were issued, unless sooner revoked or suspended, and shall be renewed annually thereafter.

The commissioner of agriculture shall have the power to revoke or suspend any certificate thus issued by him, whenever it is determined by himself or any of his deputies that any of the provisions of law or any of the regulations governing the shipment of clams, quahaugs or mussels, or the provisions or regulations governing such establishment where clams, quahaugs or mussels are shucked, have been violated.

Written application for a shellfish shucking license shall be accompanied by a copy of a shellfish shucking certificate that has been issued by the commissioner of agriculture. The fee for such shellfish shucking license shall be \$3 and it shall entitle the holder to shuck for sale, clams, quahaugs and mussels at the certified established place of business named and described in said certificate and said license.

The suspension of a shucking house certificate, by the commissioner of agriculture, shall require the commissioner of sea and shore fisheries to suspend the shellfish shucking license.

The foregoing shall not apply to clams, quahaugs and mussels shucked by persons conducting hotels and restaurants for serving on the premises, nor shall it prohibit individuals from shucking clams at home for consumption for themselves and families.

Sec. 108-C. Shellfish processing and canning regulated; license provided for. Whoever processes and cans for sale any clams, quahaugs or mussels shall procure a written license therefor.

The license, designated as a shellfish processor's license, shall be issued by the commissioner upon payment of a fee of \$50 and shall entitle the holder to process in hermetically sealed containers, clams, quahaugs and mussels at a specified place of business. Provided that a supplemental license, authorizing such processing and canning of clams, quahaugs and mussels at an additional place of business, may be procured upon payment of a fee of \$25.

Any person holding a license under the provision of this section, by virtue of such license, may process and can for sale in hermetically sealed containers all species of fish, shellfish, lobsters, crabs and shrimps.

Whoever violates any provision of this section shall be subject to the penalties provided in section 140, except that any person convicted of canning illegal lobsters, or parts thereof, shall be punished by a fine of \$300, and an additional fine of \$5 for each illegal lobster, or part thereof, involved.

Revisor's note: See Sea and Shore Fisheries Revision, § 110-C.

Sec. 108-D. Disposition of funds from sale of licenses. The funds received from sale of certain licenses, namely, "commercial shellfish licenses," "shellfish shucking licenses," "shellfish processors' licenses" and "interstate shellfish transportation licenses" shall constitute a shellfish fund, so called, to be expended under the direction of the commissioner of sea and shore fisheries for the sole purpose of restoration, development and conservation of clams, quahaugs and mussels in the coastal waters of the state and for establishment and maintenance of facilities therefor.

Said funds shall not lapse, but funds so collected in any one year may be used in that or any succeeding year for said purpose.'

Revisor's note: See Sea and Shore Fisheries Revision, § 110-D.

Effective August 13, 1947