

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

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without license. For the purposes of sections 80-A to 80-D, inclusive, the term "a resident" shall mean a person, firm or corporation who has resided in this state for a term of at least 6 consecutive months and in the town of Westport for at least 3 consecutive months prior to making application for license.

Sec. 80-B. Dealers' licenses required; definition. No person shall be a dealer in clams, clam-worms or blood-worms in the town of Westport without having first obtained a license from the municipal officers of said town, who are authorized to issue such license and fix the fee therefor. For the purpose of sections 80-A to 80-D, inclusive, the term "dealer" herein used shall mean any person, firm or corporation buying clams, clam-worms or blood-worms for resale.

Sec. 80-C. Licenses; revocation; appeals. The municipal officers may revoke any license issued by them under the provisions of the 2 preceding sections, upon evidence satisfactory to them that the person taking or selling clams, clam-worms or blood-worms has violated any of the laws of the state regulating the taking and sale of clams, clam-worms or blood-worms. If the municipal officers refuse to issue the license provided for in said sections or if a license has been revoked by the municipal officers, a person aggrieved may apply to any justice of the superior court, in term time or vacation, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Sec. 80-D. Penalty. Whoever violates any of the provisions of the 3 preceding sections shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days. Trial justices within their county shall have jurisdiction concurrent with municipal courts and the superior court of prosecutions for violations hereof.'

Effective August 20, 1951

Chapter 151

AN ACT Relating to Scallop Fishing Licenses.

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

R. S., c. 34, § 109, repealed and replaced. Section 109 of chapter 34 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

'Sec. 109. Scallop fishing license. The operator of a boat engaged in

the taking of scallops for commercial purposes shall first procure from the commissioner a written license therefor.

Such a license, designated as a scallop fishing license, may be issued to any person who has been for 3 years prior to the date of his application a legal resident of the state and shall entitle the holder to take scallops for commercial purposes at times and in places permitted by law; provided, however, if at the time of application he shall hold either a commercial shellfish license, a lobster and crab fishing license or a commercial fishing license, the fee paid for any one of these licenses that he may designate may be applied towards the fee for a scallop fishing license. The holder of a scallop fishing license shall not be required to procure a resident commercial fishing license, but shall be entitled to all privileges of the same by virtue of such scallop fishing license.

The fee for such scallop fishing license shall be \$10 for the operator of the boat and a crew of 1 man; \$12.50 for the operator of the boat and a crew of 2 men; and \$15 for the operator of the boat and a crew of 3 or more men.

By virtue of such scallop fishing license, no crewman shall be required to have any other license issued under the provisions of this chapter.'

Effective August 20, 1951

Chapter 152

AN ACT Relating to Non-Resident Commercial Fishing Licenses.

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

R. S., c. 34, § 51, repealed and replaced. Section 51 of chapter 34 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

'Sec. 51. Non-resident commercial fishing license. No non-resident of the state shall take, catch or kill for commercial purposes any species of fish in Maine coastal waters until he has first procured from the commissioner a non-resident commercial fishing license. The fee for said license shall be \$50 and shall entitle the holder to take all species of fish except shellfish, lobsters and scallops.'

Effective August 20, 1951