

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-ninth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-ninth Legislature

1959

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'Sec. 54. **Minimum legal size for quahogs.** It is unlawful for any person to take or have in his possession quahogs ~~or soft-shell clams~~ which are less than 2 inches in the longest diameter to the amount of more than 10% of any lot.

**I. Definitions.** A lot, as used in this section, means the total number of quahogs ~~or soft-shell clams~~ in any bulk pile. Where quahogs ~~or soft-shell clams~~ are in a box, barrel or other container, the contents of each box, barrel or other container constitute a separate lot.

**II. Method of determining tolerance.** The tolerance of 10% must be determined by numerical count of not less than one peck nor more than 4 pecks, taken at random from various parts of the lot, except that the tolerance must be determined by numerical count of the entire lot when the lot contains less than one peck.

**III. Exception for permittee.** The provisions of this section do not apply to the possession of ~~seed clams~~ or seed quahogs under authority of a permit, issued by the commissioner, as provided in section 49.

**IV. Penalties.** Whoever violates the provisions of this section shall be punished by the following penalties:

A. For the first offense by a fine of not less than \$10 nor more than \$25, or by imprisonment for not more than 30 days.

B. For the 2nd offense by a fine of not less than \$20 nor more than \$50, or by imprisonment for not more than 30 days.

C. For the 3rd offense by a fine of not less than \$40 and not more than \$100, or by imprisonment of not more than 60 days.

D. For the 4th and subsequent offenses by a fine of \$100, or by imprisonment for not more than 60 days.'

**Sec. 3. Effective date.** This act shall become effective March 1, 1960 and remain in effect until January 1, 1962.

Effective March 1, 1960

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## Chapter 355

### AN ACT Relating to Excise Taxes on Malt Beverages Sold to Vessels of Foreign Registry.

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

R. S., c. 61, § 22, amended. The last paragraph of section 22 of chapter 61 of the Revised Statutes, as amended by section 5 of chapter 218 of the public laws of 1957, is further amended to read as follows:

'Excise taxes on malt beverages imposed by the State shall not apply to malt beverages sold by wholesalers holding licenses from the commission to any instrumentality of the United States, or to any vessel of foreign registry.'

Effective September 12, 1959