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[Senate, No. 678.—Substituted by amendment by the Senate (Harrington) for House Bill No. 2876.]

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty.

AN ACT INCREASING THE FEE FOR LICENSES TO CATCH OR TAKE LOBSTERS AND EDIBLE CRABS AND PROVIDING FOR THE ISSUANCE OF HELPER'S LICENSES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 130 of the General Laws is hereby amended by  
2 striking out section 38, as appearing in section 1 of chapter  
3 598 of the acts of 1941, and inserting in place thereof the  
4 following section:

5 *Section 38.* The director, upon application of any person  
6 eligible for a license hereinafter referred to, and upon the pay-  
7 ment of a fee of ten dollars, shall grant a license to catch or  
8 take both lobsters and edible crabs from the coastal waters  
9 of the commonwealth. Except as hereinafter provided, such  
10 licenses to catch or take both lobsters and edible crabs shall be  
11 granted only to individuals who are citizens of the common-  
12 wealth and who have resided therein for at least one year next  
13 preceeding the date of such license, but no such license shall  
14 be issued to a minor under seventeen years of age except with  
15 the written consent of his parent, guardian or custodian and  
16 at the discretion of the director.

17 The director may grant such a license to catch or take both  
18 lobsters and edible crabs to any individual who is an alien re-  
19 siding in the commonwealth; provided that such alien resided  
20 in the commonwealth, and was actually engaged in lobster  
21 fishing in the coastal waters thereof, for five years next pre-  
22 ceding December first, nineteen hundred and twenty.

23 A non-resident citizen of the United States temporarily  
24 residing or intending temporarily to reside in any coastal city  
25 or town may in any year, upon payment of the fee required  
26 by this section, obtain a license to take lobsters or edible crabs  
27 during June, July, August and September of such year, for  
28 consumption only by the licensee and his family who are so  
29 residing. Licenses hereunder, except those granted to non-  
30 resident citizens of the United States, shall expire on Decem-  
31 ber thirty-first next succeeding the granting of the same unless  
32 sooner made void as provided in this chapter. Each applicant  
33 for a license under this section shall state the color scheme or  
34 other special markings of the buoys desired to be used by him,  
35 which, if approved by the director, shall be set forth in his  
36 license, and all buoys used by him shall be marked accordingly,  
37 and all buoys, pots, traps and lobster cars used by him shall be  
38 marked with the licensee's initials or name or the number as-  
39 signed to him by the director, which shall be branded or cut  
40 into the surface thereof.

41 Any person licensed under the provisions of the preceding  
42 paragraph may, upon application to the director, obtain one  
43 or more helper's licenses, which shall authorize one person for  
44 each such license issued to assist such licensee in the taking  
45 of lobsters and crabs in the coastal waters of the common-  
46 wealth by means of traps or pots. Said licensee shall retain  
47 in his possession any such helper's licenses obtained by him,  
48 but such helper's licenses shall be applicable to any person so  
49 assisting said licensee. The fee for each helper's license shall  
50 shall be ten dollars.

51 A licensee shall at all times, while acting in pursuance of  
52 his license or being assisted therein, exhibit his license and  
53 helper's licenses upon the demand of any officer qualified to  
54 serve criminal process, and upon failure so to do shall be  
55 punished by a fine of not more than twenty-five dollars.

56 The director shall state in his annual report the number of  
57 licenses of each kind granted under this section.