

HOUSE No. 1138

By Mr. Mannering of Boston, petition of James J. Boyle relative to increasing license fees for catching lobsters and to protecting and increasing the supply thereof. Conservation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT TO INCREASE THE LICENSE FEE FOR CATCHING
LOBSTERS TO THE SUM OF TWENTY-FIVE DOLLARS AND
TO PROTECT AND INCREASE THE SUPPLY OF LOBSTERS.

*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
2 by striking out section 38, as appearing in section 1
3 of chapter 598 of the acts of 1941, and inserting in
4 place thereof the following: —

5 *Section 38.* The director, upon application of any
6 person eligible for a license hereinafter referred to,
7 and upon payment of a fee of twenty-five dollars,
8 shall grant a license to catch or take lobsters and
9 edible crabs, or if crabs, only, are to be caught or
10 taken a fee of five dollars, from the coastal waters of
11 the county for which application has been made,
12 provided, that any such license granted to any per-
13 son to fish in either Norfolk or Plymouth counties,
14 shall also authorize such catching or taking from the
15 waters of either of said counties. Except as herein-

16 after provided, such licenses to catch or take both
17 lobsters and edible crabs shall be granted only to in-
18 dividuals who are citizens of the commonwealth and
19 who have resided therein for at least one year next
20 preceding the date of such license, but no such license
21 shall be issued to a minor under seventeen years of
22 age except with the written consent of his parent,
23 guardian or custodian and at the discretion of the
24 director. The director may grant such a license to
25 catch or take both lobsters and edible crabs to any indi-
26 vidual who is an alien and who resides in the county
27 for which the application is made; provided, that
28 such alien resided in said county, and was actually
29 engaged in lobster fishing in the coastal waters thereof,
30 for five years next preceding December first, nineteen
31 hundred and twenty. A non-resident citizen of the
32 United States, temporarily residing or intending
33 temporarily to reside in any coastal city or town may
34 in any year, upon payment of the fee required by this
35 section, obtain a license to take lobsters or edible
36 crabs during June, July, August and September of
37 such year, for consumption only by the licensee and
38 his family who are so residing. Licenses hereunder,
39 except those granted to non-resident citizens of the
40 United States, shall expire on December thirty-first
41 next succeeding the granting of the same unless
42 sooner made void as provided in this chapter. Each
43 applicant for a license under this section shall state
44 the color scheme or other special markings of the
45 buoys desired to be used by him, which, if approved
46 by the director, shall be set forth in his license, and
47 all buoys used by him shall be marked accordingly,
48 and all buoys, pots, traps, and lobster cars used by
49 him shall be marked with the licensee's initials or

50 name or the number assigned to him by the director,
51 which shall be branded or cut into the surface thereof.
52 A licensee under this section shall at all times, while
53 acting in pursuance of his license, exhibit it upon the
54 demand of any officer qualified to serve criminal
55 process, and upon failure so to do shall be punished
56 by a fine of five dollars. The director shall state in
57 his annual report the number of licenses granted un-
58 der this section.

59 Any sum, or sums, collected by the director over the
60 existing license fee of five dollars shall be set aside
61 and used exclusively for and on behalf of the lobster
62 industry; for the sole purpose of protecting and in-
63 creasing the supply of lobsters, by way of law enforce-
64 ment, study, propagation, or any other way that the
65 Governor or the director in their discretion may deem
66 wise and advisable.

