

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1743

H. P. 1633

Office of the Clerk of the House

Governor's Bill. Reference to the Committee on Marine Resources suggested.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Bowden of Brooklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Allow Limited Use of Hydraulic Dredges in the Taking of Soft Shell Clams or Quahogs.

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

Sec. 1. 12 MRSA § 6623, sub-§ 2, 3rd sentence, as repealed and replaced by PL 1977, c. 713, § 7, is amended to read:

The dredge shall only be operated below low water, **except as provided in subsection 3.**

Sec. 2. 12 MRSA § 6623, sub-§§ 3 and 4 are enacted to read:

3. Special license for municipalities. A municipality may be granted a special license without fee to operate a hydraulic dredge in the intertidal area to transplant clams or quahogs as part of a municipal shellfish conservation program.

4. Department equipment excepted. This section does not apply to equipment operated by the Department of Marine Resources.

STATEMENT OF FACT

The sections of this bill accomplish the following:

Section 1 insures that Title 12, section 6623, subsections 2 and 3 will be read consistently.

Section 2 concerns isolated concentrations of seed clams or quahogs which may frequently occur in the intertidal area. In order to maximize the productivity of these concentrations and insure harvestable quantities of clams and quahogs in other digging areas, a municipality should be able to gather hydraulically and transplant the seed resource.

Section 2 also serves to reenact a prior statutory provision which was omitted in the 1977 revision of the marine resources law. The department must be able to operate hydraulic dredges when implementing conservation programs or conducting research on soft-shell clams or quahogs.