MAINE STATE LEGISLATURE

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1	(After Deadline)
2	FIRST REGULAR SESSION
4 5	ONE HUNDRED AND ELEVENTH LEGISLATURE
6 7	Legislative Document No. 1362
8	H.P. 1037 House of Representatives, March 29, 1983
9 10 11	Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Referred to the Committee on Marine Resources. Sent up for concurrence and ordered printed.
12	EDWIN H. PERT, Clerk Presented by Representative Mitchell of Freeport. Cosponsors: Representative Allen of Washington, Representative Vose of Eastport and Representative Cahill of Woolwich.
13 14	STATE OF MAINE
15 16 17	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-THREE
18 19 20 21	AN ACT to Permit Municipalities to Regulate Shellfish Harvesting Within State Park Lands.
22 23	Be it enacted by the People of the State of Maine as follows:
24 25	<pre>Sec. 1. 12 MRSA §6671, sub-§2, as enacted by PL 1977, c. 661, §5, is amended to read:</pre>
26 27 28 29 30 31 32	2. Municipal program and ordinance. Any municipality may, by vote of its legislative body, adopt, amend or repeal a shellfish conservation ordinance regulating the taking of shellfish in any areas in the intertidal zone or coastal waters of the municipality, including any of these areas that lie within state park land, as provided by this section.
33 34	Sec. 2. 12 MRSA §6671, sub-§3, as amended by PL 1979, c. 608, §1, is further amended to read:

3. Shellfish conservation ordinance. Within any area in the intertidal zone or coastal waters in the municipality, including any of these areas that lie within state park land, a shellfish conservation ordinance may regulate or prohibit the taking of shellfish; may fix the amount of shellfish that may be taken; may limit the size of soft shell clams; may fix the qualifications for a license, including municipal residency; may fix license fees; and may authorize the municipal officers to open and close flats under specified conditions. No program or ordinance shell may regulate areas closed by regulation of the commissioner. An ordinance may also provide for enforcement, protection and evaluation of a green crab fencing program.

STATEMENT OF FACT

The purpose of this bill is to clarify that towns may adopt shellfish ordinances that cover all municipal waters and intertidal zones within their borders, including any municipal lands that may also lie within the boundaries of a state park.

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