

# MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

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Legislative Document

No. 165

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H. P. 497

House of Representatives, January 28, 1937.

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Richardson of So. Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-SEVEN

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AN ACT Relating to Scallops.

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

**P. L., c. 2, § 71, amended.** Section 71 of chapter 2 of the public laws of 1933 is hereby amended to read as follows :

**‘Sec. 71. Close time on scallops; penalty; boat and equipment may be seized and detained; prima facie evidence of violation; scallops taken outside waters of state excepted.** No person shall catch, buy, or sell, expose for sale, give away, or have in his possession for any purpose, any scallops, shelled or in the shell, between the ~~15th~~ 1st day of ~~April~~ May and the 1st day of ~~November~~ December of each year, or in the waters of Bagaduce river to a point at the mouth of said river marked by a line and bound, extending from Dice’s Head in Castine through the southernmost point of Nautilus Island to the Brooksville shore, between the 15th day of April and the 1st day of January next following of each year. It shall be unlawful to ship scallops so taken out of the state. Whoever violates this section shall be liable to a penalty of \$50, and in addition shall pay a penalty of \$5 for each and every gallon or part thereof of shelled scallops, so bought, sold, exposed for sale, given away, or in his possession; and shall pay a

penalty of \$5 for each 100 scallops or any part thereof, in the shell, so bought, sold, exposed for sale, given away, or in his possession; and any boat with its equipment, engaged and used in such unlawful catching or selling of scallops may be seized and detained by an officer or warden, not exceeding 24 hours, in order that it may be attached or taken by due process of law, to satisfy any judgment that may be recovered; but said boat and equipment shall be released at any time on payment of penalty and costs legally due. Scallop gear found on board any boat in close time shall be prima facie evidence of a violation of this section. So much of this section as relates to buying or selling or exposing for sale or the possession of scallops shall not apply to scallops taken outside of the waters of the state of Maine.'