

MAINE STATE LEGISLATURE

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

Legislative Document

No. 97

H. P. 317

House of Representatives, January 20, 1949.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Wormwood of Wells.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Taking of Clams in Ogunquit Village Corporation.

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

Sec. 1. License required to dig or take clams in Ogunquit Village Corporation. No person shall, within the territorial limits of Ogunquit Village Corporation in the county of York, dig or take clams for sale unless license has been granted to him by the corporation, which is authorized to grant and issue such licenses and fix the fee therefor. No license shall be granted or issued except to a resident within the territorial limits of the corporation. Nothing herein shall prohibit any resident or a riparian owner of shores or flats therein from digging and taking clams for food for himself and family without license. For the purposes of sections 1 to 3, inclusive, the term "a resident" shall mean a person who has resided in this state for the term of at least 6 consecutive months and within the territorial limits of the corporation for at least 3 consecutive months prior to receiving a license.

Sec. 2. Dealers' licenses required; definition. No person shall be a dealer in clams within the territorial limits of the corporation unless license has been granted to him by the corporation, which is authorized to issue such license and fix the fee therefor. For the purposes of sections 1 to 3, inclusive, the term "dealer" herein used shall mean any person, firm or corporation buying clams for resale.

Sec. 3. Licenses; revocation; appeal. The corporation may revoke any license issued by it under the provisions of the 2 preceding sections, upon evidence satisfactory to it that the person taking or selling clams has violated any of the laws of the state regulating the taking and sale of clams. If the corporation refuses to issue the licenses provided for in said sections, or if a license has been revoked by the corporation, a person aggrieved may apply to any justice of the superior court, in term or vacation, who may order the issuances or restoration thereof, provided said justice finds the corporation acted fraudulently or corruptly or erred in its conclusion of facts.

Sec. 4. Penalty. Whoever violates any of the provisions of sections 1 to 3, inclusive, shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days.