

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1143**

H. P. 1801

House of Representatives, March 1, 1949.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Prince of Harpswell.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-NINE

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**AN ACT Relating to Towns Regulating the Taking of Shellfish.**

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

R. S., c. 34, § 62, repealed and replaced. Section 62 of chapter 34 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

‘Sec. 62. Towns authorized to regulate taking of clams, quahogs and mussels and provide for municipal licenses; penalty for taking contrary to municipal regulations. Any town may, by vote at an annual or special town meeting, provided for regulations fixing the times and amounts in which clams, quahogs and mussels may be taken from any or all of the coastal waters and flats within the town and may likewise provide that municipal licenses be required for the taking of any or all of such species therein and fix the fees therefor.

Regulations adopted under the provisions of this section shall not be come effective until a certified copy of each has been filed, by municipal officers of the town to which they apply, with the clerk of said town and with the commissioner of sea and shore fisheries.

This section shall not be construed to effect the repeal of any special privileges enjoyed by the inhabitants of certain towns by virtue of any

public or private and special law in force on the effective date of this section; but any town to which any such law applies may in addition have all the advantages of this section if such town shall so vote. Any town that adopts any regulation under authority of this section shall be responsible for enforcement of the same.

Whoever takes clams, quahogs or mussels contrary to municipal regulations authorized by this section shall, for each offense, be punished by a fine of not more than \$10, or by imprisonment for not more than 30 days.'