

MAINE STATE LEGISLATURE

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

Legislative Document

No. 416

H. P. 400

House of Representatives, February 2, 1955.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Knight of Searsmont.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to the Digging of Clams in the Town of Lincolnville.

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

Sec. 1. Digging clams in Lincolnville. No person shall dig or take any clams within the limits of the town of Lincolnville, in the county of Waldo, unless a written license has been granted him by the selectmen of said town. The selectmen of said town are hereby authorized to grant and issue such license and fix the annual fee therefore for residents of the town of Lincolnville and nonresident taxpayers of said town; to limit the amount of clams that may be taken at any one tide; and to set the dates during which clams may be dug from all or any portion of the flats. Nothing herein shall prohibit any resident or nonresident taxpayer of said town from digging and taking not in excess of one peck of clams per day for food for himself and family without license, nor any riparian owner from digging on his own property without license. For the purposes of this chapter, the term "resident" shall mean a person who has resided in this State for a period of at least 6 consecutive months and within the town of Lincolnville for a period of at least 3 months immediately prior to the date when a claim of such residence is made. For the purposes of this chapter, the term "nonresident taxpayer" shall mean a person who has actually paid a tax to the collector of taxes for the town of Lincolnville for the municipal year last ending prior to the date when a claim of such status is made.

Sec. 2. License. No person, firm or corporation shall buy clams for resale within the limits of the town of Lincolnville unless a written license has been granted to him by the selectmen of said town. The selectmen of said town are authorized to grant and issue such license and to fix the annual fee therefor.

Sec. 3. Revocation of license. The selectmen of said town may revoke any license issued by them, or by their predecessors in office, under the provisions of this chapter upon evidence satisfactory to them that the person, firm or corporation digging, taking, selling or buying clams has violated any of the laws of the State regulating the taking and sale of clams. If the selectmen of the said town refuse to issue the licenses provided for in this chapter, or if a license has been revoked by them, a person aggrieved may apply to any issuance or restoration thereof, provided that said justice finds that the selectmen of said town acted fraudulently or corruptly or erred in their conclusion of facts.

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