

# MAINE STATE LEGISLATURE

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# NINETY-SEVENTH LEGISLATURE

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## Legislative Document

No. 659

H. P. 611 House of Representatives, February 10, 1955  
Referred to the Committee on Sea and Shore Fisheries, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. McCluskey of Warren.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-FIVE

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### AN ACT Relating to Taking, Having in Possession and Selling Oysters.

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

**Sec. 1. R. S., c. 38, § 108, amended.** Section 108 of chapter 38 of the revised statutes is hereby amended to read as follows:

**‘Sec. 108. Commercial shellfish and marine worm license.** No person, except the holder of a commercial shellfish and marine worm license, shall sell any clams, quahogs, **oysters**, mussels or marine worms that he has dug or taken from the flats, shores or coastal waters of the State.

No nonresidents of the State shall dig or take more than  $\frac{1}{2}$  bushel of clams, quahogs, **oysters** or mussels nor more than 30 marine worms during any one day from the flats, shores or coastal waters of the State.

No residents of the State shall dig or take more than  $\frac{1}{2}$  bushel of clams, quahogs, **oysters** or mussels nor more than 30 marine worms during any one day from the flats, shores or coastal waters of the State without first having procured from the Commissioner a written license therefor; except that a holder of a lobster and crab fishing license or a holder of a commercial fishing license may dig or take more than  $\frac{1}{2}$  bushel of clams, quahogs, **oysters** or mussels for bait purposes only without obtaining a commercial shellfish and marine worm license.

A license, designated as a commercial shellfish and marine worm license, may be issued to residents of the State who shall make application for the same.

The fee shall be \$3 and it shall entitle the holder to dig or take clams, quahogs, **oysters** or mussels in quantities greater than  $\frac{1}{2}$  bushel during any one day and

to transport and sell the same in the shell within the State; and to dig, take, buy or sell marine worms.

No person, except the holder of a commercial shellfish and marine worm license as provided for in this section or a dealer duly licensed under the provisions of this chapter or as provided in the 3rd paragraph of this section, shall have in his possession more than  $\frac{1}{2}$  bushel of clams, quahogs, **oysters** or mussels, nor more than 30 marine worms.'

**Sec. 2. R. S., c. 38, § 109, amended.** Section 109 of chapter 38 of the revised statutes is hereby amended to read as follows:

**'Sec. 109. Disposition of funds from sale of licenses.** The funds received from sale of certain licenses, namely, "commercial shellfish and marine worm licenses," "interstate shellfish transportation licenses" and 10% of the revenue from the sale of licenses under the provisions of section 111 shall constitute a shellfish fund, so called, to be expended under the direction of the Commissioner for the sole purpose of restoration, development and conservation of clams, quahogs, **oysters**, mussels and marine worms in the coastal waters of the State and for establishment and maintenance of facilities therefor.

Said funds shall not lapse, but funds so collected in any one year may be used in that or any succeeding year for said purpose.'