

MAINE STATE LEGISLATURE

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

Legislative Document

No. 310

H. P. 219

House of Representatives, January 29, 1959.

Referred to the Committee on Sea and Shore Fisheries, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Mathieson of Montville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

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

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

Taking of clams in Northport. No person shall dig or take any clams within the limits of the Town of Northport, Waldo County, unless a written license has been granted him by the selectmen of said town. The selectmen of said town are authorized to grant and issue such license and fix the annual fee therefor for residents of the Town of Northport 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 as food for himself and family 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 Northport for a period of at least 3 consecutive months 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 Northport for the municipal year last ending prior to the date when a claim of such status is made.

The provisions of this chapter shall not apply to flats within the territorial limits of Northport Village Corporation so long as the taking of clams therein is regulated by the Private and Special Laws of 1951, chapter 106, and acts amendatory thereof.

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 satisfactory evidence that the person, firm or corporation taking or digging 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 thereby may apply to any justice of the superior court, in term time or vacation, who may order the issuance or restoration thereof, provided that the said justice finds that the selectmen of said town acted fraudulently or corruptly or erred in their conclusion of facts.

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, or by both.