

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

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circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

Sec. 2. Administrator defined. As used in the compact, with reference to this State, the term "administrator" shall mean the State Tax Assessor.

Sec. 3. Limitation. The provisions of chapter 16 shall, to the extent that they are inconsistent with the compact, be inapplicable to the taxation of buses as that term is defined in the compact.'

Effective September 21, 1963

Chapter 277

AN ACT Repealing the Town Clam Laws and Authorizing Special Privileges for Cooperating Towns.

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

Sec. 1. R. S., c. 37-A, § 49-A, additional. Chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended by adding a new section 49-A, to read as follows:

'Sec. 49-A. Municipalities authorized to raise and appropriate money for shellfish conservation. Any municipality by vote of its legislative body may raise and appropriate money for any shellfish conservation program which has been approved by the commissioner.'

Sec. 2. R. S., c. 37-A, § 50, amended. The first 2 sentences of section 50 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, are amended to read as follows:

'Any municipality which has raised or appropriated money within 2 years next prior to acting under this section for a shellfish conservation program approved by the commissioner as authorized under section 49-A may enact a municipal ordinance fixing the time when clams, quahogs and mussels may be taken from any or all of the coastal waters and flats within the municipality. The ordinance may also provide limitations on the amount of clams, quahogs and mussels which may be taken within the municipality, and may likewise provide that municipal licenses be required for the taking of any such species within the municipality, and may determine the qualifications for the license, including residence requirements, and may fix the license fees.'

Sec. 3. R. S., c. 37-A, § 50, sub-§ I, amended. Subsection I of section 50 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows:

I. Filing requirements. Ordinances adopted under the provisions of this section ~~do not become effective until a certified copy has been filed by the municipal officers with the clerk of that municipality and with the commissioner~~ shall remain in full force and effect for a period of 3 years unless sooner terminated by the terms of the ordinance or by repeal by the municipal legislative body. A certified copy of the ordinance shall be filed with the commissioner within 7 days after its adoption.'

Sec. 4. R. S., c. 37-A, § 61, sub-§ VII, amended. Subsection VII of section 61 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended to read as follows:

'VII. Licensee's authority to take worms and shellfish. The holder of a current commercial shellfish and marine worm license may dig or take shellfish, marine worms, clamworms, bloodworms or sandworms in any of the tidal waters or flats of the State, except in those areas which are closed to the digging or taking of ~~such worms for conservation purposes~~ the same by regulation passed under the provisions of section sections 16 or 17, and except in those areas under municipal shellfish cultivation authorized in section 46. The holder may not, however, dig or take any shellfish contrary to any ordinance in full force and effect which was passed pursuant to the authority provided in section 50 and amendments thereto.

A. The holder of a current commercial shellfish and marine worm license may ~~also~~ buy or sell any of the above described worms.'

Sec. 5. P. & S. L., 1959, c. 154, Chapter A, repealed. Chapter A of chapter 154 of the private and special laws of 1959, as amended by chapters 42 and 92 of the private and special laws of 1961, is repealed.

Sec. 6. P. & S. L., 1959, c. 155, § 129-A, additional. Chapter 155 of the private and special laws of 1959 is amended by adding a new section 129-A, to read as follows:

'Sec. 129-A. Digging of clams on flats of York River. It shall be lawful to dig clams on any of the flats in the York River in the County of York, provided said clams are not used for any purposes except as bait for fishing.'

Sec. 7. P. & S. L., 1959, c. 155, §§ 1, 3, 11-16, 17-A, 17-B, 17-C, 18-31, 47-52, 57-61, 74, 75, 84-88, 90-103, 120-123 and 127, repealed. Sections 1, 3, 11 to 16, 17-A and 17-B as enacted by section 2 of chapter 46 of the private and special laws of 1961, 17-C as enacted by chapter 45 of the private and special laws of 1961, 18 to 31, 47 to 49, 49-A as enacted by chapter 115 of the private and special laws of 1961, 50 to 52, 57 to 61, 74, 75, 84 to 88, 90 to 103, 120 to 123 and 127 of chapter 155 of the private and special laws of 1959 are repealed.

Sec. 8. Effective date. This act shall take effect on July 1, 1964.