

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

---

THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

---

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
ONE HUNDRED AND FOURTH LEGISLATURE  
1969

---

---

---

On the first Tuesday of August biennially on the even-numbered years, the Penobscot Indians shall hold a caucus for the purpose of nominating candidates to be elected as provided in this section. Such caucus shall have the right to establish, by majority vote, rules for the conduct of the following tribal election, providing that such rules do not violate the constitutional rights of any person.

The tribal governor shall call a general meeting of the tribe for the purpose of affirming or rejecting legislative proposals prepared by the tribal governor and council for submission to the State Legislature. Notice of the time and place of the general meeting shall be posted 7 or more days before said meeting day at the office of the tribal governor and one conspicuous place on Old Town Island. Legislative proposals that have received an affirmative vote of a majority of those present and voting at the general meeting of the tribe shall be given to the tribal representative to the State Legislature for submission to the State Legislature.

Effective October 1, 1969

---

## Chapter 250

### AN ACT Relating to Type of Dredge to Dig Clams in Waters Between Cape Elizabeth and Pemaquid Point.

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

R. S., T. 12, § 4352, sub-§ 6, additional. Section 4352 of Title 12 of the Revised Statutes, as amended, is further amended by adding a new subsection 6, to read as follows:

6. —between Cape Elizabeth and Pemaquid Point. This section does not apply to the operation of any hydraulic or mechanical clam dredge approved by the Department of Sea and Shore Fisheries operated below low water within an area between Cape Elizabeth and Pemaquid Point, provided that such operation is not used for taking marine worms, lobsters or other crustaceans and is done with the approval of the Department of Sea and Shore Fisheries. The department is authorized to charge an annual fee of \$50 to license each hydraulic or mechanical dredge and to collect a tax of 10¢ per bushel of soft-shell clams taken by such dredges and no more than 50 dredges shall be licensed in any calendar year.

A. All license fees and revenues derived under this subsection shall be used by the Department of Sea and Shore Fisheries for the purpose of studying the aftereffects on the aquatic growth and fish life in the dredged area.

(1) All information gathered as a result of the above study or studies shall be made available to the Department of Inland Fisheries and Game.

B. Each dredge operator shall keep a daily report of the area in which he operated and these reports shall be given to the Department of Sea and Shore Fisheries on or before the 15th day of each month for the preceding month.

Effective October 1, 1969

---

---

## Chapter 251

### AN ACT Relating to Open Season on Muskrat and Mink.

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

R. S., T. 12, § 2358, sub-§ 1, amended. The 2nd paragraph of subsection 1 of section 2358 of Title 12 of the Revised Statutes, as last repealed and replaced by section 27 of chapter 544 of the public laws of 1967, is repealed and the following paragraphs enacted in place thereof:

The open season on mink shall be during the month of November.

The open season on muskrats in that area of the State north of the CPRR tracks shall be from November 1st to May 15th of each year. During the period from April 1st to May 15th of each year, it shall be unlawful to trap muskrats with any trap other than a killer-type trap in that area of the State north of the CPRR tracks.

The open season on muskrats in that area of the State south of the CPRR tracks shall be from November 1st to April 30th of each year. During the period from March 15th to April 30th of each year, it shall be unlawful to trap muskrats with any trap other than a killer-type trap in that area of the State south of the CPRR tracks.

Director's note: Amended by 1969 Public Laws, chapter 425, section 39-A.

Effective October 1, 1969

---

---

## Chapter 252

### AN ACT Relating to Construction or Acquisition of School Buildings for Mentally Retarded Children.

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

R. S., T. 20, § 3162, amended. The 2nd sentence of section 3162 of Title 20 of the Revised Statutes, as amended by chapter 360 of the public laws of 1967, is repealed and the following enacted in place thereof: