

**§6623. Method of taking soft shell clams**

**1. Hand implement only.** It shall be unlawful to fish for or take soft shell clams, except by implements operated solely by hand, except as provided in this section.

[PL 1977, c. 661, §5 (NEW).]

**1-A. Artificial breathing device prohibited.** A person may not fish for or take soft shell clams while using an artificial breathing device that allows that person to breathe underwater. This subsection does not apply to the holder of a lease issued under section 6072, 6072-A or 6072-B when fishing for or taking soft shell clams cultivated on the leased area.

[PL 1999, c. 112, §1 (NEW).]

**2. Special license for dredging.** The commissioner may issue a special license, acting in accordance with the procedures set forth in section 6074, subsections 1 to 6, to operate a hydraulic or mechanical soft-shell clam dredge for educational or scientific purposes, for use on an aquaculture lease site or for municipal transplanting projects. The dredge shall not be used for commercial soft-shell clam harvesting except as authorized in this subsection. The dredge design and proposed operation shall be approved by the commissioner. The operation of the dredge shall not interfere with commercial digging and shall not be used for taking marine worms, lobsters or other crustaceans.

[PL 1985, c. 255 (RPR).]

**3. Department excepted.** This section shall not apply to equipment operated by the department for transplanting under a conservation program or conducting research on shellfish.

[PL 1979, c. 622, §4 (NEW).]

**SECTION HISTORY**

PL 1977, c. 661, §5 (NEW). PL 1977, c. 713, §7 (AMD). PL 1979, c. 622, §§3,4 (AMD). PL 1985, c. 255 (AMD). PL 1999, c. 112, §1 (AMD).

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