

§6575-C. Closed areas; elver fishing

1. Dams with fishways.

[PL 2013, c. 49, §13 (RP).]

2. River herring traps. A person may not fish for or take elvers within 50 feet of a licensed river herring trap.

[PL 2011, c. 598, §25 (AMD).]

3. Portion of rivers, streams and brooks. A person may not:

A. Fish for or take elvers at any time within the middle 1/3 of a river, stream, brook or other watercourse, as measured at mean high tide, within the coastal waters of the State; or [PL 2003, c. 452, Pt. F, §14 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Obstruct the middle 1/3 of any river, stream, brook or other watercourse, as measured at mean low tide, within the coastal waters of the State. [PL 2003, c. 452, Pt. F, §14 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. F, §14 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. Dip nets near elver fyke nets. A person may not fish for or take elvers with a dip net in the mouth of an elver fyke net. For the purposes of this subsection, "mouth of an elver fyke net" means that area within an elver fyke net that is net-side of a straight line that runs from one meshed wing tip of the net to the other meshed wing tip.

[PL 2003, c. 452, Pt. F, §15 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

5. Fyke net placement. A person may not place or set an elver fyke net or take elvers from an elver fyke net when any portion of the net, including any anchoring device, is located within an imaginary line between the wing ends of another elver fyke net. Cod end anchoring devices may not exceed 10 feet in length and wing end anchoring devices may not interfere with or create a hazard to navigation within the middle 1/3 of a navigable watercourse. A marine patrol officer may open the cod end of a net that is located in violation of this subsection.

[PL 1999, c. 7, §13 (NEW).]

6. Obstructing elver fyke nets. A person may not set an elver fyke net or place an obstruction near an elver fyke net in a manner that interferes with the operation of an elver fyke net.

[PL 1999, c. 7, §13 (NEW).]

7. Rulemaking; gear placement. If necessary to conserve the elver resource, the commissioner may adopt rules pursuant to section 6171 relating to placement of elver fishing gear based on the configuration of specific rivers, streams, brooks or other watercourses. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

[PL 1999, c. 7, §13 (NEW).]

SECTION HISTORY

PL 1995, c. 536, §A9 (NEW). PL 1997, c. 91, §6 (AMD). PL 1997, c. 575, §5 (AMD). PL 1999, c. 7, §13 (AMD). PL 2003, c. 452, §§F13-15 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2011, c. 598, §25 (AMD). PL 2013, c. 49, §13 (AMD).

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