

§6575-B. Method of elver fishing; limits on gear

1. Gear. It is unlawful for a person to fish for or take elvers by any method other than by dip net, elver fyke net or Sheldon eel trap.

[PL 1995, c. 536, Pt. A, §9 (NEW).]

2. Number of elver fyke nets and Sheldon eel traps.

[PL 1999, c. 7, §9 (RP).]

2-A. Number of nets and Sheldon eel traps.

[PL 1999, c. 534, §4 (RP).]

2-B. Type and amount of gear. It is unlawful for a person to immerse elver fishing gear other than the types and amounts listed on the person's license pursuant to section 6505-A, subsection 5. A person may not immerse an amount of elver fishing gear that exceeds the amount of elver fishing gear listed on the person's license for the previous elver fishing season. A person may elect which types of gear are listed on the person's license prior to the issuance of the license for that elver fishing season. The commissioner may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

A. [PL 2015, c. 391, §12 (RP).]

B. [PL 2005, c. 533, §3 (RP).]

C. [PL 2005, c. 533, §3 (RP).]

[PL 2015, c. 391, §12 (AMD).]

3. Rebuttable presumption. It is a rebuttable presumption that an elver fyke net, Sheldon eel trap or elver dip net immersed in any waters of the State at any time of the year is immersed for the purpose of fishing for or taking elvers.

[PL 1999, c. 7, §11 (AMD).]

4. Prohibition on fishing from boats. It is unlawful for a person to set or tend an elver fyke net or a Sheldon eel trap from a boat or to fish for or take elvers from a boat. A person may transport an elver fyke net, a Sheldon eel trap or a dip net by boat.

[PL 1995, c. 536, Pt. A, §9 (NEW).]

5. Use of dip nets. It is unlawful for a person to use a dip net to fish for or take elvers while standing in the coastal waters of the State.

[PL 1997, c. 575, §4 (AMD).]

6. Prohibition on fishing from artificial platforms. A person may not build or use an artificial platform to fish for elvers. This subsection does not prohibit fishing for elvers from piers or floats established for purposes other than elver fishing.

[PL 1999, c. 7, §12 (NEW).]

7. Bycatch release. A person immediately shall return alive into the waters of the State any species other than elver that is caught in an elver fyke net.

[PL 1999, c. 7, §12 (NEW).]

8. St. Croix River; use of fyke nets prohibited.

[PL 2015, c. 391, §13 (RP).]

SECTION HISTORY

PL 1995, c. 536, §A9 (NEW). PL 1997, c. 91, §5 (AMD). PL 1997, c. 575, §4 (AMD). PL 1999, c. 7, §§9-12 (AMD). PL 1999, c. 534, §§4,5 (AMD). PL 2005, c. 533, §3 (AMD). PL 2013, c. 468, §27 (AMD). PL 2015, c. 391, §§12, 13 (AMD).

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