

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)

STATE LAW LIBRARY
(EMERGENCY)

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 498

H. P. 346

House of Representatives, January 18, 1961.

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Prince of Harpswell.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

**AN ACT Regulating Size of Otter Trawls and Other Trawls in Casco Bay and
Adjacent Waters.**

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the season for fishing under this act begins in the spring of the year and in order that the fishing be regulated in the spring of 1961 the following legislation is vitally necessary; and

Whereas, this act, by limiting the size of boats and drags thereby extending the time of fishing, aids in the conservation of one of Maine's great natural resources; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 37-A, § 36-B, 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 36-B, to read as follows:

'Sec. 36-B. Size of trawls limited in Casco Bay and adjacent waters. This section applies to all the coastal waters within the jurisdiction of the State between 69° 50' west longitude and 70° 20' west longitude.

I. Maximum size of trawls. It is unlawful to fish with or use an otter trawl or any other trawl within the above area of greater size than as follows:

A. The length of the foot rope may not be greater than 70 feet measured from wing tip to wing tip along the bottom of the wings and bosom;

B. The length of the head rope may not be greater than 50 feet measured from wing tip to wing tip along the bottom of the wings and bosom;

C. The length of each door may not be greater than 6 feet measured from the forward end to the aft end of the door; and

D. The width of each door may not be greater than 3 feet 6 inches measured from top to bottom of the door.

II. Permit. It is unlawful to fish with or use an otter trawl or any other trawl within the above area, unless the operator of the boat has a current permit from the commissioner.

A. The commissioner shall issue such permits to any holder of a current resident or nonresident commercial fishing license, providing that the trawl complies with the size provided in this section.

B. The commissioner shall cause the trawl to be inspected for size prior to issuing the permit.

C. There is no charge for issuing the permit.

D. The permit shall be valid concurrently with the resident or nonresident commercial fishing license.

E. Such permit shall be carried on the boat when the boat is used for trawl fishing in said area. Failure to produce the permit when requested by a coastal warden in uniform is prima facie evidence that the operator of the boat does not hold a current permit as provided by this section.

III. Penalty. Whoever violates this section shall be punished by a fine of not less than \$200 nor more than \$1,000, or by imprisonment for not more than 30 days, or by both.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.