

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1003

H.P. 713

House of Representatives, February 4, 1999

An Act to Allow for Navigation in Areas of Elver Fishing.

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator HARRIMAN of Cumberland and
Representatives: COLWELL of Gardiner, DUNLAP of Old Town, GOOLEY of Farmington,
HONEY of Boothbay, SAXL of Portland, WATSON of Farmingdale, WHEELER of Eliot,
Senator: TREAT of Kennebec.

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

4 **Sec. 1. 12 MRSA §6575-B, sub-§6 is enacted to read:**

6 6. Gear marking. It is unlawful for a person to immerse an
8 elver fyke net or Sheldon eel trap unless the locations of the
10 net or trap and all associated lines and anchors are marked in a
12 manner that make the locations clearly visible to the operator of
14 a vessel.

16 **Sec. 2. 12 MRSA §6575-C, sub-§3-A is enacted to read:**

18 3-A. Minimum channel opening. Notwithstanding subsection
20 3, it is unlawful for a person to place an elver fyke net or
22 Sheldon eel trap and any associated lines or anchors in the
24 middle portion of a river, brook, stream or other watercourse
26 that can be navigated by a vessel. For the purposes of this
28 subsection, "middle portion" means a section of a river, brook,
30 stream or other watercourse that is 30 feet in width, as measured
32 between the banks of the watercourse at high tide.

24 SUMMARY

26 This bill prohibits a person from setting an elver fyke net
28 or Sheldon eel trap in the middle portion of a river, brook,
30 stream or other watercourse that can be navigated by a vessel.
The "middle portion" is defined as a 30-foot-wide middle section
of a watercourse, as measured at high tide.

32 The bill also requires a person who sets an elver fyke net
34 or Sheldon eel trap to mark the locations of the net or trap and
all associated lines and anchors so that the locations are
clearly visible to the operator of a vessel.