

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

may receive money from any source for the purposes described in subsection 2.

§6810. Method of fishing

1. Authorized traps. It is unlawful to fish for green crabs under a license issued pursuant to subsection 6808 with traps not authorized by the commissioner.

2. Trap design; rules. The commissioner shall establish authorized green crab trap designs by rule. Rules adopted by the commissioner pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	2001-02	2002-03
MARINE RESOURCES, DEPARTMENT OF		
Division of Administrative Services		
All Other	\$500	\$500
Provides initial allocations for the Green Crab Management Fund.		

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 2001.

Effective July 1, 2001.

CHAPTER 187

S.P. 394 - L.D. 1309

**An Act to Amend the Laws
Pertaining to the Harvest of Adult
Eels**

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

Sec. 1. 12 MRSA §6505-C, sub-§2, as enacted by PL 1995, c. 536, Pt. A, §8, is amended to read:

2. Exemptions. A person may fish for or take for personal use ~~an eel~~ eels in the coastal waters of the State by speargun, harpoon, trap or hook and line and may possess or transport ~~that eel~~ eels that person has taken pursuant to this subsection. The department shall adopt rules establishing a limit on the number of eels that a person may fish for, take, possess or transport pursuant to this subsection. Rules adopted

pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 188

H.P. 1266 - L.D. 1717

**An Act to Amend the Laws
Pertaining to Municipal Shellfish
Management**

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

Sec. 1. 12 MRSA §6671, sub-§2, as amended by PL 1995, c. 531, §1, is further amended to read:

2. Municipal program and ordinance. Any municipality may, by vote of its legislative body, adopt, amend or repeal a shellfish conservation ordinance ~~regulating the possession of shellfish in any area of the municipality~~ as provided by this section. A municipality may establish a municipal shellfish management committee comprised of residents of that municipality may be established to administer a municipal program.

Sec. 2. 12 MRSA §6671, sub-§3, as amended by PL 1999, c. 255, §1 and affected by §8, is repealed and the following enacted in its place:

3. Shellfish conservation ordinance. The following provisions govern a shellfish conservation ordinance.

A. Within any area of the municipality, a shellfish conservation ordinance may:

- (1) Regulate or prohibit the possession of shellfish;
- (2) Fix the amount of shellfish that may be taken;
- (3) Provide for protection from shellfish predators; and
- (4) Authorize the municipal officials to open and close flats under specified conditions.

B. An ordinance must limit the size of soft-shell clams in accordance with article 5.

C. Except as provided in section 6621, subsection 3, paragraph C, a program or ordinance may not allow surveying, sampling or harvesting of