§6575-D. Molesting elver fishing gear

1. Prohibition. Except as provided in subsection 1-A, a person other than a marine patrol officer or the license holder issued a tag for an elver fyke net may not utilize, transfer, alter, possess or in any manner handle the net unless that person has been issued a license to fish for elvers with an elver fyke net under section 6302-A, subsection 3, paragraph E, E-1, F or G or section 6505-A or a license to fish for elvers with crew with an elver fyke net under section 6505-A and the license holder issued the tag for the elver fyke net is present and assisting in setting, tending or removing the net.

A. [PL 1999, c. 7, §14 (RP).]

B. [PL 2013, c. 468, §28 (RP).]

[PL 2013, c. 468, §28 (AMD).]

1-A. Restriction on emptying net or trap; exception. A person other than the license holder identified on the tag for an elver fyke net or a Sheldon eel trap may not empty that net or trap unless that person has been issued an elver fishing license for the same gear type and has been issued written permission by a marine patrol officer to tend that net or trap. A marine patrol officer may issue a person written permission for the person to tend the license holder's net or trap only for the purpose of releasing captured elvers into the waters of the State if the license holder is temporarily unable to tend that net or trap because of a disability or personal or family medical condition. If the license holder is unable to tend that net or trap for more than 2 consecutive weeks, the net or trap must be removed from the water.
[PL 2013, c. 468, §28 (NEW).]

2. Violation. A person who violates this section commits a Class D crime for which a fine of $2,000 must be imposed, none of which may be suspended. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.
[PL 2013, c. 49, §14 (AMD).]

SECTION HISTORY

PL 1995, c. 536, §A9 (NEW). PL 1999, c. 7, §14 (AMD). PL 2001, c. 421, §B34 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2011, c. 549, §8 (AMD). PL 2013, c. 49, §14 (AMD). PL 2013, c. 468, §28 (AMD).

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