§6954-A. Dragging and scalloping prohibited in the Frenchboro area

1. Violation. Unless permitted by rules adopted under subsection 1-A, a person may not:

A. Take scallops by any means within the Frenchboro area; or [PL 2003, c. 452, Pt. F, §37 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Operate any watercraft when towing a drag or trawl within the Frenchboro area. A drag or trawl must be lifted out of the water to transit the cable area. [PL 2003, c. 452, Pt. F, §37 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

For purposes of this section, except as otherwise defined by rules adopted under subsection 1-A, "the Frenchboro area" means the following area: starting at the easternmost point on Red Point, Swan's Island; thence in an easterly direction to the southernmost point of the western Sister's Island; thence in a southeasterly direction to the southernmost point of Crow Island; thence in a southerly direction to the northernmost point of Harbor Island, Frenchboro, Long Island; thence southerly to the state ferry terminal located on the eastern side of Lunt's Harbor, Frenchboro, Long Island, and then starting at the westernmost point of Gooseberry Point on Frenchboro, Long Island; westerly to the northeast point of John's Island; thence northwest to the easternmost point of the largest of the Baker Islands; thence northwesterly to the northeastern point of Harbor Island, Swan's Island; thence northerly to Quarry Wharf, Minturn, Swan's Island.
[PL 2021, c. 249, §1 (AMD).]

1-A. Scalloping permitted by rule. The commissioner may adopt and amend rules that amend the definition of the Frenchboro area if the commissioner determines, after evaluation, that the area should be modified to better achieve the purposes of this section. The commissioner may also adopt and amend rules permitting the taking of scallops in the Frenchboro area, except that the rules may not permit the use of drags more than 30 inches wide and may not permit the use of drag ropes more than 3/8 inch in diameter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2021, c. 249, §2 (AMD).]

2. Penalty. A violation of this section is a Class D crime, except that the minimum fine shall be $500 and may not be suspended.
[PL 1987, c. 1, §3 (NEW).]

SECTION HISTORY

PL 1985, c. 317 (NEW). PL 1987, c. 1, §3 (RPR). PL 1991, c. 301, §1 (AMD). PL 1991, c. 784, §§9,10 (AMD). PL 1997, c. 78, §2 (AMD). PL 2003, c. 452, §F37 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2021, c. 249, §§1, 2 (AMD).

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