

Maine Revised Statutes
Title 38: WATERS AND NAVIGATION
Chapter 9: WHARVES AND FISH WEIRS

§1023. EXPIRATION OF LICENSE

The license for the building or extension of a fish weir or trap issued under section 1022 or any right or privilege granted by the Legislature for the building or extension of any such fish weir or trap shall terminate and become void unless the weir or trap is built within one year from the date of the license or the granting of that right or privilege and maintained in good faith for the duration of the license. [1985, c. 97, §1 (RPR) .]

The weir shall be considered to be maintained in good faith if the following conditions are met: [1985, c. 97, §1 (NEW) .]

1. Annual license fee; bond coverage. The licensee shall pay his annual license fee and submit proof of the required bond coverage extending at least one year beyond the current license year;

[1985, c. 97, §1 (NEW) .]

2. Inspection and repair. The licensee shall inspect and repair all stakes and brush of the weir structure so as to maintain it in condition to receive netting when fishing conditions warrant; and

[1985, c. 97, §1 (NEW) .]

3. Report. The licensee shall complete these actions by July 15th of each year and shall report that completion to the Commissioner of Marine Resources and to the municipality within 7 days of that date on forms provided by the commissioner.

[1989, c. 890, Pt. A, §40 (AFF); 1989, c. 890, Pt. B, §208 (AMD) .]

Satisfaction of these conditions shall be necessary but not sufficient to retain the weir's protected fishing zone as provided by Title 12, section 6525-A, subsections 1 and 5. [1985, c. 97, §1 (NEW) .]

The Commissioner of Marine Resources shall, by December 31st each year, report to the municipality the name of the licensed owner and location of each weir and whether the weir was maintained in good faith in that year. [1989, c. 890, Pt. A, §40 (AFF); 1989, c. 890, Pt. B, §209 (AMD) .]

SECTION HISTORY

1983, c. 731, §5 (AMD). 1985, c. 97, §1 (RPR). 1989, c. 890, §§A40, B208, 209 (AMD) .

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