

131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 817

H.P. 506

House of Representatives, February 21, 2023

An Act to Allow the Crew Member of a Holder of an Elver Fishing License to Empty an Elver Fyke Net

(EMERGENCY)

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative STROUT of Harrington. Cosponsored by Senator MOORE of Washington and Representatives: CYRWAY of Albion, DAVIS of East Machias, DILL of Old Town, EATON of Deer Isle, HEPLER of Woolwich, LANDRY of Farmington, MILLIKEN of Blue Hill, WILLIAMS of Bar Harbor.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** fishing for or taking elvers within the waters of the State may occur only 4 between March 22nd and June 7th, or until Maine's elver quota, as established by the 5 Atlantic States Marine Fisheries Commission, has been met, whichever is earlier; and
- 6 **Whereas,** the elvers taken during the 2022 fishing season were worth nearly \$20,000,000 at the docks; and
- 8 Whereas, this legislation needs to take effect before the expiration of the 90-day 9 period in order for it to be in effect for the 2023 fishing season; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 11 the meaning of the Constitution of Maine and require the following legislation as 12 immediately necessary for the preservation of the public peace, health and safety; now, 13 therefore,

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

15 Sec. 1. 12 MRSA §6505-A, sub-§1-A, as enacted by PL 2013, c. 468, §24, is
amended to read:

17 1-A. Licensed activity. The holder of an elver fishing license or elver fishing license 18 with crew may fish for, take or possess elvers. The holder of an elver fishing license or 19 elver fishing license with crew may transport and sell within state limits elvers that the 20 license holder has taken. The holder of an elver fishing license with crew is liable for the 21 licensed activities under this subsection of an unlicensed crew member assisting that 22 license holder pursuant to subsection 1-B. Only the license holder to whom a tag is issued 23 The unlicensed crew member may empty an elver fyke net.

Emergency clause. In view of the emergency cited in the preamble, this legislation
takes effect when approved.

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SUMMARY

This bill permits an unlicensed crew member of a holder of an elver fishing license to empty an elver fyke net.