

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 506 - L.D. 817

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

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, fishing for or taking elvers within the waters of the State may occur only between March 22nd and June 7th, or until Maine's elver quota, as established by the Atlantic States Marine Fisheries Commission, has been met, whichever is earlier; and

Whereas, the elvers taken during the 2022 fishing season were worth nearly \$20,000,000 at the docks; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order for it to be in effect for the 2023 fishing season; and

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

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

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

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