

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 129

S.P. 59

In Senate, January 11, 1999

**An Act to Prohibit the Harvesting of Elvers.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.  
Cosponsored by Representative HONEY of Boothbay and  
Representatives: COLWELL of Gardiner, O'NEIL of Saco.

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

4  
6           **Whereas,** a significant fishery for baby eels, or elvers, has  
developed in the coastal estuaries of the State; and

8           **Whereas,** the harvesting of these elvers may have a serious  
negative impact on the present commercial fishery for larger  
10 American eels in the waters of the State; and

12           **Whereas,** it appears that the American eel resource of this  
State is significantly more valuable when elvers are allowed to  
14 grow to 6 inches or more in length; and

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

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

24           **Sec. 1. 12 MRSA §6505-E is enacted to read:**

26           **§6505-E. Prohibited acts relating to eel**

28           **1. Illegal possession.** If a person takes by any means,  
30 possesses or sells American eel that is less than 6 inches in  
length from territorial waters, including fresh waters of the  
32 State, that person is guilty of illegal possession of eel.

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

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### SUMMARY

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40           This bill regulates the taking of eels by making it illegal  
to possess eel that is less than 6 inches in length.