



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 202

H.P. 163

House of Representatives, February 5, 2013

**An Act To Permit Tribal Members To Fish at Any Time for
Sustenance**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BEAR of the Houlton Band of Maliseet Indians.
Cosponsored by Representatives: CAREY of Lewiston, HAMANN of South Portland,
MITCHELL of the Penobscot Nation.

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

2 **Sec. 1. 12 MRSA §12451-A** is enacted to read:

3 **§12451-A. Tribal member fishing rights**

4 Notwithstanding any other provision of this Part, an enrolled member of the
5 Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the
6 Aroostook Band of Micmacs may fish for, take and possess any fish at any time for
7 sustenance use. For purposes of this section, "sustenance use" means all noncommercial
8 consumption or noncommercial use by the enrolled member or the enrolled member's
9 immediate family or within the enrolled member's household.

10 **SUMMARY**

11 This bill provides that, notwithstanding other laws governing inland fisheries and
12 wildlife, an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the
13 Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs may fish for, take
14 and possess any fish at any time for sustenance use. "Sustenance use" includes all
15 noncommercial consumption or noncommercial use by the enrolled member or the
16 enrolled member's immediate family or within the enrolled member's household.