



126th MAINE LEGISLATURE

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Legislative Document

No. 451

H.P. 301

House of Representatives, February 14, 2013

**An Act To Cap Certain Marine Resources Licenses Issued by the
Passamaquoddy Tribe**

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.
Reference to the Committee on Marine Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KUMIEGA of Deer Isle.
Cosponsored by Representative: WEAVER of York.

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

2 **Sec. 1. 12 MRSA §6302-A, sub-§3, ¶¶D and E,** as amended by PL 2011, c.
3 598, §17, are further amended to read:

4 D. The Penobscot Nation ~~may not issue to members of the nation more than~~ and the
5 Passamaquoddy Tribe may each issue to its members up to 20 commercial licenses
6 for the taking of scallops in any calendar year, except that the commissioner shall by
7 rule allow the Penobscot Nation and the Passamaquoddy Tribe to issue additional
8 commercial licenses to members of the nation or tribe for the taking of scallops if the
9 commissioner determines that scallop resources are sufficient to permit the issuance
10 of new licenses;

11 E. The Penobscot Nation ~~may not issue to members of the nation more than~~ and the
12 Passamaquoddy Tribe may each issue to its members up to 8 commercial licenses for
13 the taking of elvers in any calendar year, except that the commissioner shall by rule
14 allow the Penobscot Nation and the Passamaquoddy Tribe to issue additional
15 commercial licenses to members of the nation or tribe for the taking of elvers if the
16 commissioner determines that elver resources are sufficient to permit the issuance of
17 new licenses; and

18 **Sec. 2. 12 MRSA §6302-A, sub-§11** is enacted to read:

19 **11. Renewal of licenses.** If a holder of a license issued under this section fails to
20 provide information required under section 6173, the license may not be renewed until
21 the holder complies with the requirements of that section.

22 **SUMMARY**

23 This bill limits the Passamaquoddy Tribe's issuance of scallop licenses to 20 licenses
24 and the issuance of elver licenses to 8 licenses, which provides parity with the Penobscot
25 Nation. The bill also creates parity between all tribal or nation licenses issued pursuant to
26 the Maine Revised Statutes, Title 12, section 6302-A and those issued by the Department
27 of Marine Resources by restricting the renewal of licenses for noncompliance with
28 reporting requirements.