



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 888

H.P. 607

House of Representatives, March 12, 2015

**An Act To Recognize and Provide for the Right To Hunt for
Sustenance in Aroostook County for Maliseet and Micmac Tribal
Members and Disabled Veterans**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BEAR of the Houlton Band of Maliseet Indians.
Cosponsored by Senator WILLETTE of Aroostook and
Representatives: DANA of the Passamaquoddy Tribe, MITCHELL of the Penobscot Nation.

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

2 **Sec. 1. 12 MRSA c. 915, sub-c. 16** is enacted to read:

3 **SUBCHAPTER 16**

4 **SUSTENANCE**

5 **§12171. Definitions**

6 As used in this subchapter, unless the context otherwise indicates, the following
7 terms have the following meanings.

8 **1. One hundred percent disabled veteran.** "One hundred percent disabled veteran"
9 means a person receiving compensation for a service-connected disability of 100% under
10 public laws administered by the United States Veterans Administration.

11 **2. Sustenance use.** "Sustenance use" means all noncommercial consumption or
12 noncommercial use by an individual or the individual's immediate family or within the
13 individual's household.

14 **§12172. Houlton Band of Maliseet Indians and Aroostook Band of Micmacs**

15 Except for moose or bear, notwithstanding any provision of this Part regarding
16 licensure, season, day, time, hunter age, wild animal or bird sex or other characteristics or
17 bag limits, an enrolled member of the Houlton Band of Maliseet Indians or the Aroostook
18 Band of Micmacs may hunt for, take and possess any wild animal or bird at any time in
19 Aroostook County for sustenance use only. This section does not apply to a species
20 identified as endangered under state or federal law.

21 **§12173. Moose and bear allocations for the Houlton Band of Maliseet Indians,**
22 **Aroostook Band of Micmacs and disabled veterans in Aroostook County**

23 **1. Sustenance permits.** The commissioner shall annually issue 33 moose permits
24 and 33 bear permits to members of each of the following groups:

25 A. Enrolled members of the Houlton Band of Maliseet Indians;

26 B. Enrolled members of the Aroostook Band of Micmacs; and

27 C. One hundred percent disabled veterans residing in Aroostook County.

28 Hunting with a permit issued under this section must occur in Aroostook County and
29 must be for sustenance use only. A permit issued under this section is not subject to a
30 fee. Notwithstanding any provision of law to the contrary, a disabled veteran hunting
31 with a sustenance moose permit or bear permit pursuant to this section may hunt from a
32 motor vehicle, as defined in Title 29-A, section 101, subsection 42. An enrolled member
33 of the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs may hunt
34 notwithstanding section 11651-A and any provision of this Part regarding licensure,
35 season, day, time, hunter age or wild animal or bird sex or other characteristics.

1 **§12174. Rules**

2 The commissioner may adopt rules to implement this subchapter. Rules adopted
3 pursuant to this section are routine technical rules as defined in Title 5, chapter 375,
4 subchapter 2-A.

5 **SUMMARY**

6 This bill provides that members of the Houlton Band of Maliseet Indians and the
7 Aroostook Band of Micmacs may hunt for any wild animal or bird at any time in
8 Aroostook County for sustenance use. Tribal members engaging in this sustenance
9 hunting are largely exempt from general wild game laws, except that moose and bear
10 hunting must be done by special permits issued by the Commissioner of Inland Fisheries
11 and Wildlife. The commissioner is required to annually issue 33 moose permits and 33
12 bear permits to members of each respective tribe. The commissioner is also directed to
13 annually issue 33 moose permits and 33 bear permits for sustenance hunting in Aroostook
14 County to 100% disabled United States veterans residing in Aroostook County, who are
15 bound by the general wild game laws except that they may hunt from a motor vehicle.