



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 133

H.P. 115

House of Representatives, January 20, 2011

An Act To Extend Native American Hunting Rights

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative JOHNSON of Greenville. (BY REQUEST)

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

2 **Sec. 1. 12 MRSA §10853, sub-§8**, as amended by PL 2007, c. 195, §1, is further
3 amended to read:

4 **8. Native American.** The commissioner shall issue a hunting, trapping and fishing
5 license, including permits, stamps and other permission needed to hunt, trap and fish, to a
6 Native American, 10 years of age or older, of the Passamaquoddy Tribe, the Penobscot
7 Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs that is
8 valid for the life of that Native American without any charge or fee if the Native
9 American presents a certificate from the respective reservation governor, the Aroostook
10 Micmac Council or "Wesget-Sipu" stating that the person described is a Native American
11 and a member of that nation, band or tribe. The commissioner shall issue a hunting,
12 trapping and fishing license, including permits, stamps and other permission needed to
13 hunt, trap and fish, to a Native American, 10 years of age or older, who is a resident of
14 this State and an enrolled member of any other federally recognized tribe, that is valid for
15 the life of that Native American without any charge or fee if the Native American
16 presents a certificate from an authorized official stating that the person described is a
17 Native American and a member of that tribe. For purposes of this subsection, "authorized
18 official" means a tribal official authorized by the tribe to certify that a person is an
19 enrolled member of the tribe or, if the tribe does not maintain tribal enrollment records,
20 the United States Department of the Interior, Bureau of Indian Affairs. Holders of these
21 licenses are subject to this Part, including, but not limited to, a lottery or drawing system
22 for issuing a particular license or permit.

23 **SUMMARY**

24 Under current law, a member of the Passamaquoddy Tribe, the Penobscot Nation, the
25 Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs over 10 years of
26 age may obtain a free lifetime hunting, trapping and fishing license that includes all
27 permits, stamps and other permission needed to hunt, trap and fish. Holders of such a
28 license are subject to the same laws as other holders of hunting, trapping or fishing
29 licenses with respect to trespassing on the land of others. This bill permits a member of
30 any other federally recognized tribe who is a resident of this State to receive the same
31 license.