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Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. 12 MRSA §6302-B, sub-§2, ¶A, as enacted by PL 2015, c. 391, §6, is amended by amending subparagraph (4) to read:

A. The commissioner may enter into an agreement with a federally recognized Indian tribe in the State that does not provide for individual allocations of the quota established under subsection 1 to members of that tribe, nation or band. If the commissioner enters into an agreement pursuant to this paragraph, the following provisions apply.

(1) An elver transaction card under section 6305 must be issued to each person to whom the tribe, nation or band issues a license under section 6302-A, subsection 3.

(2) The holder of a license issued under section 6302-A, subsection 3 must meet the reporting requirements established by rule pursuant to section 6173.

(3) The quota established under subsection 1 applies to all elvers taken under licenses issued by the tribe, nation or band under section 6302-A, subsection 3.

(4) When the quota established under subsection 1 is reached, the department shall notify the tribe, nation or band. The commissioner may use the data collected from the elver transaction cards issued under subparagraph (1) to determine whether the overall annual quota established under subsection 1 has been reached. When the quota established under subsection 1 is reached, the holder of a license issued by the tribe, nation or band under section 6302-A, subsection 3 may not thereafter take, possess or sell elvers. Taking, possessing or selling elvers after the quota established under subsection 1 is reached is deemed a violation by the license holder of the prohibition on fishing in excess of the person's individual quota in section 6505-A, subsection 3-A.

Amend the bill by striking out all of sections 5 to 7 and inserting the following:

Sec. 5. 12 MRSA §6505-A, sub-§1-C, as amended by PL 2017, c. 250, §2, is further amended to read:

1-C. Elver transaction card issued. The department may issue an elver transaction card to each license holder under this section and to each license holder under section 6302-A, subsection 3, paragraphs E, E-1, F and G in accordance with section 6302-B. The department may charge each license holder an annual fee for the elver transaction card that may not exceed \$35. Fees collected under this subsection must be deposited in the Eel and Elver Management Fund under section 6505-D. The

license holder shall use the elver transaction card to meet electronic reporting requirements established by rule pursuant to section 6173. The elver transaction card must include the license holder's name and license landings number.

Sec. 6. 12 MRSA §6575-K, sub-§1, as amended by PL 2015, c. 131, §2, is further amended to read:

1. Prohibition on possession or sale of elvers in excess of elver individual fishing quota. A person may not possess or sell ~~a weight of elvers that exceeds~~ in excess of the elver individual fishing quota that person has been allocated for the fishing season pursuant to section 6505-A, subsection 3-A, plus any additional quota the person may be authorized to take under section 6575-L. After a person's elver transaction card issued pursuant to section 6505-A, subsection 1-C has been used to record transactions equal to or in excess of the elver quota allocated to that person, that person may not possess or sell elvers.

Sec. 7. 12 MRSA §6575-K, sub-§2, as amended by PL 2015, c. 131, §2, is further amended to read:

2. Prohibition on fishing after elver individual fishing quota has been reached. Except as provided in section 6575-L, this section applies to fishing after a person's elver individual fishing quota has been reached. A person who has sold ~~a weight of elvers that meets or exceeds~~ equal to or in excess of that person's elver individual fishing quota may not fish for or possess elvers for the remainder of the season, except that such a person who has been issued a license to fish for elvers may in accordance with section 6575-D assist another person who has been issued a license to fish for elvers who has not met or exceeded that person's elver individual fishing quota as provided in section 6505-A, subsection 3-A. After a person's elver transaction card issued pursuant to section 6505-A, subsection 1-C has been used to record transactions equal to or in excess of the elver quota allocated to that person, that person may not fish for elvers. All gear tagged by a license holder who has met or exceeded that person's elver individual fishing quota must be removed. A marine patrol officer may seize the elver transaction card of a license holder who has met or exceeded that person's elver individual fishing quota.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment clarifies language related to the elver quota. Specifically, it does the following.

1. It allows the Commissioner of Marine Resources to use data collected from the elver transaction cards to determine whether the overall annual quota has been reached for federally recognized Indian tribes in the State.
2. It specifies that a person may not possess or sell elvers when that person's elver transaction card has been used to record transactions equal to or in excess of the elver quota allocation to that person.

3. It specifies that a person may not fish for or possess elvers for the remainder of the season when that person's elver transaction card has been used to record sales of elvers in an amount equal to or in excess of the elver quota allocation to that person.