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MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 423, L.D. 604, Bill, “An Act Regarding Commercial Elver Fishing Licenses Issued by the Penobscot Nation”

Amend the bill by striking out all of section 1 (page 1, lines 12 to 19 in L.D.) and inserting the following:

Sec. 1. 12 MRSA §6302-A, sub-§3, ¶E, as amended by PL 2011, c. 598, §17, is repealed and the following enacted in its place:

E. The Penobscot Nation may not issue to members of the nation commercial licenses for the taking of elvers in any calendar year that exceed the following limits:

(1) Eight licenses that allow the taking of elvers with 2 pieces of gear, consisting of an elver fyke net and a dip net; and

(2) Forty licenses that allow the taking of elvers with one piece of gear only, consisting of either an elver fyke net or a dip net.

The commissioner shall by rule allow the Penobscot Nation to issue additional commercial licenses to members of the nation for the taking of elvers if the commissioner and the Penobscot Nation determine that elver resources are sufficient to permit the issuance of new licenses; and'

SUMMARY

This amendment, like the bill, increases the number of commercial licenses for the taking of elvers that the Penobscot Nation may issue in any calendar year from 8 licenses to 48 licenses. The amendment specifies that 8 of the licenses allow the taking of elvers with 2 pieces of gear consisting of an elver fyke net and a dip net and 40 allow the taking of elvers with one piece of gear only, consisting of either an elver fyke net or a dip net. The amendment retains the provision of the bill that provides that if the Commissioner of

COMMITTEE AMENDMENT

1 Marine Resources and the Penobscot Nation determine elver resources are sufficient to
2 permit the issuance of more licenses, the commissioner by rule may increase the number.

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FISCAL NOTE REQUIRED

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(See attached)