

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 99

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H.P. 63

House of Representatives, January 17, 1995

**An Act to Ensure the Protection of Tribal Fish Stocks and Other Natural Resources.**

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Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative KEANE of Old Town.  
Cosponsored by Representatives: FISHER of Brewer, POVICH of Ellsworth, VOLENIK of Sedgwick, Senator: RUHLIN of Penobscot.

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

4 **Sec. 1. 38 MRSA §341-H** is enacted to read:

6 **§341-H. Tribal awareness and input; individual rights**

8 In fulfilling its purposes, duties and responsibilities, the board shall:

10 **1. Ensure tribal awareness.** Ensure that the Passamaquoddy  
12 Tribe and the Penobscot Indian Nation are made aware of proposed  
14 actions that affect fish stocks and other natural resources in  
Indian Territory and waters under the jurisdiction of the Maine  
Indian Tribal-State Commission;

16 **2. Solicit tribal input.** Solicit input from the  
18 Passamaquoddy Tribe and the Penobscot Indian Nation about  
proposed actions; and

20 **3. Ensure that rights are not diminished.** Ensure that the  
22 rights of individual members of the Passamaquoddy Tribe and the  
Penobscot Indian Nation, as provided in the Maine Indian Claims  
24 Settlement, are not diminished through actions that affect tribal  
fish stocks and natural resources, including but not limited to  
26 pollution or contamination of waters and air, development  
activities and the management of water levels and flows.

28 **STATEMENT OF FACT**

30  
32 This bill requires the Board of Environmental Protection to  
34 ensure that the Passamaquoddy Tribe and the Penobscot Indian  
36 Nation are made aware of proposals that affect their fish stocks  
and other natural resources, to solicit input from the tribes  
about such proposals, and to ensure that the rights of individual  
tribal members, provided for under the Maine Indian Claims  
Settlement, are not diminished.