

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

~~Spruce Head located in the Town of Northport, then running southerly to Graves channel marker northeast southeast of the Town of Camden, then running southeasterly to the Penobscot Bay Buoy "PB" east of Rockland harbor, then running southerly to the TB1 TBI whistle southwest of Junken Ledge, then running southeasterly to Red Nun #10 buoy at Foster Ledges, then running due south magnetic to the boundary of the State's coastal waters; and~~

Sec. 18. 12 MRSA §6752, as enacted by PL 1977, c. 661, §5, is amended to read:

§6752. Exception for personal use

Any person may take or possess not more than ~~25~~ 50 marine worms in any one day for personal use without a marine worm digger's license or a marine worm dealer's license.

Sec. 19. 12 MRSA §6804, sub-§5, as amended by PL 2003, c. 248, §10, is further amended to read:

5. Exemption. Notwithstanding subsection 1, a license is not required to fish for, take, possess or transport up to one standard fish tote of northern shrimp only for personal use. This exemption does not apply to an individual whose ability to obtain a commercial northern shrimp license has been suspended by the commissioner.

Sec. 20. 12 MRSA §6864, sub-§1-A is enacted to read:

1-A. Limits on issuance. The department may not issue an elver dealer's license or a supplemental license for the following licensing year after February 1st of the current licensing year.

Sec. 21. 12 MRSA §6864, sub-§2, as amended by PL 2011, c. 549, §9, is further amended to read:

2. License limited. An elver dealer's license authorizes the licensed activities at only one permanent facility. For the purposes of this section, "permanent facility" means a permanent building that is owned or legally leased by the license holder and is not a dwelling.

Sec. 22. 12 MRSA §6864, sub-§10, as amended by PL 2013, c. 49, §17, is further amended to read:

10. Purchase of elvers. A person who holds an elver dealer's license, or the authorized representative of that person under subsection 9, may purchase elvers from licensed harvesters at locations other than the permanent facility identified on the license holder's license. The license holder or the license holder's authorized representative shall keep a record that identifies each harvester from which elvers were purchased and the amount of elvers purchased from each harvester. The license holder or the license holder's au-

thorized representative shall make the record available for inspection by a marine patrol officer. The license holder or the license holder's authorized representative may not purchase elvers ~~for cash or credit or provide to any person any goods, wares, merchandise or other articles or with any form of payment in exchange for elvers~~ other than a check or cashier's check that identifies both the seller and the buyer, unless the purchaser provides the seller a written or electronic receipt that identifies both the seller and buyer, each of whom must be a person holding a license issued under this section, a person who, pursuant to subsection 9, is an authorized representative of a person holding a license issued under this section or a person holding a license issued under section 6505-A.

Sec. 23. 12 MRSA §6864, sub-§12, as enacted by PL 2013, c. 49, §18, is repealed.

See title page for effective date.

CHAPTER 302

H.P. 100 - L.D. 118

**An Act To Ensure the
Authenticity of Items Reported
To Have Been Crafted by
Native Americans**

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

Sec. 1. 10 MRSA c. 228 is enacted to read:

CHAPTER 228

**SALE OF INDIAN ARTS AND CRAFTS
PRODUCTS**

§1500-G. Unlawful acts; deceptive trade practice

1. False representation of authentic Indian products. A person may not offer or display for sale or sell a good in a manner that falsely suggests it is Indian-produced, an Indian product or the product of a particular Indian or Indian tribe or Indian arts and crafts organization in a manner that violates 25 United States Code, Section 305e.

2. Unfair trade practice. A violation of this section constitutes an unfair or deceptive act or practice in violation of Title 5, chapter 10. An action brought under this chapter by the Office of the Attorney General may not preclude a person from bringing a civil action to obtain injunctive or equitable relief or damages under 25 United States Code, Section 305e.

See title page for effective date.
