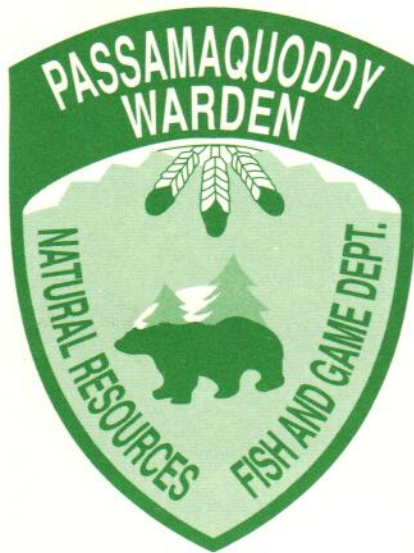


8-31-2007



**Passamaquoddy Tribal Ordinances
Regulating
Hunting, Fishing and Trapping
in the
Passamaquoddy Indian Territory**

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EFFECTIVE DATE 08/31/2007

Approved by the Joint Tribal Council
during a meeting held at Pleasant Point

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CHAPTER 1. GENERAL

Section 100. General Provisions

1. Title. These Ordinances shall be known as the "Passamaquoddy Tribal Ordinances Regulating Hunting, Fishing and Trapping in the Passamaquoddy Indian Territory."
2. Authority. These Ordinances are adopted by the Passamaquoddy Tribe as authorized by state statutes implementing the Maine Indian Claims Settlement, 30 MRSA Sections 6201 thru 6214, shall govern the taking of fish and wildlife within the Passamaquoddy Indian Territory.
3. Passamaquoddy Indian Territory. The "Passamaquoddy Indian Territory" means lands within the State of Maine, the boundaries of which include the Passamaquoddy Indian Reservation and the first 150,000 acres of land acquired by the United States Secretary of the Interior for the benefit of the Passamaquoddy Tribe, commonly known as "trust land." The "Passamaquoddy Indian Territory" is further defined in 30 MRSA, Section 6201(1) and does not include what is commonly known as "fee land." The location of Passamaquoddy Indian Territories is shown generally on a map published together with these Ordinances, and the boundaries are posted appropriately.
4. Department Established. There is established the Passamaquoddy Fish and Game Department whose purpose is to protect, preserve and enhance the inland fisheries and wildlife resources and natural resources of the Passamaquoddy Indian Territories. The Department may consist of a division at Indian Township and a division at Pleasant Point. Each reservation may utilize the following titles: Chief Warden, Lieutenant, Sergeant and Warden.
 - A. Duties and Powers. The Passamaquoddy Warden Service shall be responsible for enforcing these Ordinances and any other Ordinances as directed by the joint Tribal Council.
 - B. Exclusive Authority. The Passamaquoddy Warden Service shall have exclusive authority on Passamaquoddy Indian Territories to enforce:
 - (1) These Ordinances as they pertain to the taking of wildlife;
 - (2) These Ordinances as they pertain to the taking of fish in any pond which is less than 10 acres in surface area and is wholly within the boundaries of the Passamaquoddy Indian Territory;
 - (3) Ordinances regulating the taking of fish in any waters within the boundaries of the Passamaquoddy Indian Reservation, for a Tribal member's individual sustenance regardless of any law of the State, or any rule or regulation promulgated by the Maine Indian-State

Tribal Commission, subject to any action of the commissioner of the State Department of Inland Fisheries and Wildlife taken under 30 MRSA Section 6207, subsection 6; and

- (4) Any Ordinance by which the Passamaquoddy Indian Tribe exercises the right to exclusive jurisdiction over Tribal members authorized by 30 MRSA Section 6206, subsection 3.
5. Passamaquoddy Tribal Wardens
 - A. Duties. The duties of the Passamaquoddy Tribal Wardens shall include, but not be limited to, general enforcement of these Ordinances, search and rescue operations, enforcement of forestry ordinances, environment ordinances and associated applicable State of Maine laws, and they shall be subject to the same duties, limitations and training requirements as the Maine State Game Wardens under the laws of the State.
 - B. Powers. Passamaquoddy Tribal Wardens shall possess the same powers as Maine State Game Wardens under the laws of the State, where applicable and shall include, but not be limited to, the power to arrest and prosecute all violators of these Ordinances; serve criminal and civil process; accept personal recognizance's; act as State fire wardens; and upon probable cause, stop and search any motor vehicle, watercraft, snowmobile or all-terrain vehicle.
6. Fish and Game Committee. The Fish and Game Committee and the Passamaquoddy Fish and Game Department may jointly recommend the adoption, amendment or repeal of any Ordinance pertaining to the management of fish, wildlife or natural resources.
7. Ordinances Adopted, Amended or Repealed. These Ordinances shall be effective immediately upon approval by the Joint Tribal Council. No provision of this Ordinance shall be amended or repealed except by approval of the Joint Tribal council and, unless otherwise specified, no amendment or repeal shall become effective until 30 days after approval. All Ordinances enacted shall not be enforced except upon written inclusion in these Ordinances. Any Ordinance adopted, amended or repealed shall be posted in a conspicuous manner in the respective Tribal offices no later than 20 days after enactment. The Joint Tribal Council may, at any time, if in their opinion an immediate emergency action is necessary, enact emergency ordinances without complying with the regular Ordinance enactment and posting procedures.
8. Nondiscrimination. Except for the taking of fish and wildlife for sustenance, these Ordinances apply equally to all Tribal members and nonmembers.
9. Seasons, Bag Limits and Restrictions. The seasons, bag limits and restrictions pertaining to the taking of fish and wildlife shall be as stated herein.

10. Possession of Fish and Wildlife. All fish, wild animals or wild birds found in the possession of a person who is in the fields, forests or on the waters of Passamaquoddy Indian Territories shall be deemed to have been taken within Passamaquoddy Indian Territories.
11. Permits. Any person subject to Passamaquoddy Tribal permit requirements may obtain the appropriate permit for that activity by applying in person or by writing to:
 - A. The Pleasant Point Reservation Tribal Office;
 - B. The Indian Township Reservation Tribal Office;
 - C. The Passamaquoddy Warden Service, P.O. Box 446, Princeton, Maine 04668, Tel. 796-2677
 - D. A designated agent or place approved by the Joint Tribal Council, if any.
12. Sustenance. The taking of fish and wildlife for sustenance purposes is applicable to Tribal members only and provisions may be different than the general application of these Ordinances.
13. Transportation of Fish and Wildlife. All fish lawfully taken within Passamaquoddy Indian Territories or in waters subject to Maine Indian Tribal-State Commission regulation, if any, and all wildlife lawfully taken within Passamaquoddy Indian Territories and registered pursuant to these Ordinances, if required, may be transported within the State providing other provisions of these Ordinances are complied with, without further restrictions.
14. Posting of Passamaquoddy Indian Territories. All lands or waters subject to these Ordinances shall be conspicuously posted in such a manner as to provide reasonable notice to the public of the boundaries and of the limitations of hunting, fishing, trapping or other use.
15. Valid State of Maine License. Non-Tribal members must possess an appropriate valid Passamaquoddy Tribal permit, as well as any State license required by Maine law, to engage in hunting, fishing or trapping activities on Passamaquoddy Indian Territories.
16. Permit Validity. Any Passamaquoddy Tribal Warden who has cause to believe that a permit was improperly issued may seize the permit and notify the respective Council of the Reservation from which the permit was issued. Upon approval of the respective Council, a Passamaquoddy chief Tribal Warden may revoke, rescind or modify any improperly issued permit. Permits which require Council approval must indicate the date of such approval and be stamped with the Tribal seal, and otherwise the permit will be invalid.

17. Gift Moose, Deer or Bear. All moose, deer or bear or parts thereof which are possessed by any person as the result of a gift shall be labeled as follows:
 - A. Each part shall be plainly labeled with the name and address of the person that registered the moose, deer or bear along with the year it was registered;
 - B. Each part shall be plainly labeled with the name and address of the person to whom it was given as a gift; and
 - C. If a third party possesses or transports any part or parts, each part shall be plainly labeled with that person's name and address.
18. Taking of Wildlife for Tribal Ceremonies and Functions. The respective Governors and Tribal Council of either reservation may authorize special permits for the taking of wildlife for the purpose of consumption at an open ceremony or function, provided the following criteria are met:
 - A. Only issued to Tribal members possessing a valid sustenance permit.
 - B. Other than seasons and bag limits, these ordinances shall not be violated.
19. Hunter Safety Requirements. The following hunter safety requirements shall be applicable to any Tribal member:
 - A. Any Tribal member under 10 years of age is ineligible to obtain any sustenance hunting permit.
 - B. Any Tribal member between 10 years and 16 years of age is ineligible to obtain any sustenance hunting permit unless he has successfully completed an approved Hunter Safety Course.
 - C. Any Tribal member who is over 16 years of age is ineligible to obtain any sustenance hunting permit unless he can show proof of having successfully completed an approved Hunter, Archery and/or Crossbow Safety Course (whichever applies) or can show satisfactory evidence of having held an adult license to hunt with firearms in any calendar year since 1976.
 - D. Any Tribal member between 10 years and 16 years of age who possesses a sustenance hunting permit may only hunt under the permit if he is accompanied by a parent or approved guardian, over 18 years of age, who has completed an approved Hunter, Archery and/or Crossbow Safety Course (whichever applies) or can show satisfactory evidence of having held an adult license to hunt with firearms in any calendar year since 1976.

Section 101. Definitions

1. Active Logging Operation. An active logging operation means an operation where a logger or contractor is physically cutting, skidding or hauling forest products. All active logging operations will be posted as such.
2. Bag Limit. "Bag limit" means the maximum number of wild animals, wild birds, or fish that may be taken within any given period of time as specified by these Ordinances.
3. Bear Bait. "Bear bait" means any animal or plant or derivative of any animal or plant that is used or placed in the fields or forests for the purpose of attracting or luring bear.
4. Beaver Dam. A "beaver dam" means any dam constructed by beaver using mud, sticks or other debris which in its current condition is holding back water to the extent that the water level is different above and below the dam.
5. Beaver House. A "beaver house" means any cavity which is capped by beaver with mud and sticks which is capable of providing a beaver with shelter or concealment.
6. Break-up Hunter Orange. "Break-up" hunter orange means an article of hunter orange that is at least 50% orange.
7. Closed Season. "Closed season" means the time during which it is unlawful to hunt or trap any wild animal or wild bird, or to fish for any fish, as specified by these Ordinances.
8. Colony traps. Colony traps may be used to trap for furbearing animals throughout the trapping season, except that:
 1. the outside dimensions of colony traps may not exceed 7 inches high by 7 inches wide by 40 inches long and
 2. all colony traps must be set so as to remain completely under water at all times
9. Conibear or Killer-Type Trap. A "conibear or killer-type trap" means a trapping device, so designed that when set it is meant to humanely catch and kill an animal quickly and which is differentiated from the common foot hold trap in that the device normally grasps the animal by the body
10. Crossbows. The following conditions apply to the use of crossbows:
 1. Only crossbows with a shoulder-type stock may be used; hand-held pistol-type crossbows are prohibited;
 2. The draw weight may not be less than 100 pounds nor more than 200 pounds;
 3. Arrowheads, including mechanical broadheads when open, must be at least 7/8 inch in width;
 4. Arrows having explosive or poisonous tips are prohibited;
 5. Crossbows must be equipped with a mechanical trigger safety device in working condition;
 6. Crossbows equipped with scopes or sights may be used.
11. Drowning Set. Is a trap that is set completely under water and rigged in such a way as to reasonably insure the drowning of any species of trapped fur bearer that would be reasonably expected to visit the set location and be held in the type of trap used at the set.
12. Firearm. "Firearm" includes any instrument used in the propulsion of pellets, shots, shells, or bullets by action of gunpowder.
 - A. "Autoloading firearm" means a firearm that reloads itself after each shot and requires that the trigger be pulled for each shot.
 - B. "Automatic firearm" means a firearm that will continue to fire as long as the trigger is held back.
13. He. "He" means, where appropriate, he or she.
14. Hunting. The activity of "hunting" means to hunt for, pursue, molest, shoot, shoot at, catch, take, kill, wound or destroy any wild animal or wild bird.
15. Hunter Orange. "Hunter orange" means a daylight fluorescent orange color with a dominate wave length between 595 and 605 nanometers, excitation purity not less than 85% and luminance factor of not less than 40%.
16. Jacklight. "Jacklight" means any artificial light used while hunting or attempting to hunt, except artificial lights allowed under Section 204, paragraph 11, night hunting – raccoons.
17. Motor Vehicle. "Motor vehicle" means any motor-driven vehicle, except motor boats.
18. Muskrat House. A "muskrat house" means any cavity which is capped by muskrats with vegetative matter and is capable of providing a muskrat with shelter or concealment.
19. Muzzle-loading Firearm. "Muzzle-loading firearm" means a rifled or smooth-bored firearm that is forty caliber or greater, capable of firing only a single charge, loaded through the muzzle with powder and a ball or bullet, and ignited by a percussion cap or priming charge of a flint, match or wheel lock mechanism. In-line muzzle loading rifles and scopes are allowed.
20. Non-Tribal Person. A "non-tribal person" or "nonmember" means any person who is not listed on the Passamaquoddy Tribal census list.
21. Open Season. "Open season" means the time during which it is lawful to hunt, trap or possess wild animals and wild birds and to fish for or possess any fish, as specified and limited by these Ordinances.

22. Paved Way. "Paved way" means any public road treated with bituminous or concrete material.
23. Person. "Person" means a human being.
24. Placing. "Placing" means for a person to physically fasten, stake, hook or position any trapping device at any trap site location in the fields, forests or waters.
25. Possession limit. "Possession limit" means the maximum number of wild animals, wild birds or fish that may be possessed under any one license at any given time as specified by these Ordinances.
26. Setting. "Setting" means for a person to physically adjust any spring loaded mechanism or trigger mechanism on any trapping device in such a manner so that the trapping device has the ability to catch, hold or kill any wild animal.
27. Sunrise. "Sunrise" means the time computed and established for sunrise for Bangor, Maine, by the nautical Almanac Office of the United States Naval Observatory, converted to the legal standard time in force in this State on that day.
28. Sunset. "Sunset" means the time computed and established for sunset for Bangor, Maine, by the nautical Almanac Office of the United States Naval Observatory, converted to the legal standard time in force in this State on that day.
29. Sustenance. "Sustenance" means the taking of wild animals or wild birds for use or consumption by a tribal member or his household, or trapping as a means of support of a tribal member or his household.
30. Tending. "Tending" means for a person to actively visit, observe, bait or rebait, lure or relure, reset, replace or remove any trapping device at any trap site location; or shall mean for a person to release, remove or kill any animal found in any trapping device.
31. Trap. A "trap" is defined as a device so constructed so that when set it has the ability to catch, hold or kill a wild animal. This device can include, but is not limited to, so-called common foot traps, so-called conibear or killer-type traps, so called colony traps and box or cage-type traps. For the purposes of these Ordinances, snares or snare traps are not considered traps.
32. Trapping. The activity of "trapping" means the setting, placing or tending of any device, the purpose of which is to catch, hold or kill any wild animal. The activity of trapping shall also mean for a person to actively aid or assist another person in the setting, placing or tending of a trapping device, except that mere accompaniment shall not be considered trapping.
33. Tribal Member. "Tribal member" means a person who is listed on the Passamaquoddy Tribal census list.

34. Tribal Elder. "Tribal Elder" means a person who is a Tribal member and is 55 years of age or older.
35. Tribal Youth. "Tribal youth" means a person who is a Tribal member and is between the ages of 10 and 16 years of age.
36. Wild Animal. "Wild animal" means a species of mammal, wild by nature, whether bred or reared in captivity, as distinguished from the common domestic animals.
37. Wild Bird. "Wild bird" means a species of bird wild by nature, whether or not bred or reared in captivity, as distinguished from common domestic birds.
38. Wildlife. "Wildlife" means any species of the animal kingdom, except fish, which is wild by nature, whether or not bred or reared in captivity, and includes any part, egg or offspring thereof, or the dead body or parts thereof. Wildlife includes wild animals and wild birds.

Section 102. Prohibited Acts – General

1. Unlicensed Activity. It is unlawful for a person to engage in any activity for which a license or permit is required without a valid license or permit for that activity, issued to that person.
2. Defacement of Signs or Posters. It is unlawful for a person to willfully mutilate, deface, destroy or tamper with any sign or poster erected, maintained or posted for the purpose of delineating Passamaquoddy Indian Territory boundary lines or giving notice to the public.
3. License and Permits – Fraud and Tampering. It is unlawful for a person to fraudulently obtain any license or permit required by these Ordinances, or to possess any license or permit which has been altered, tampered with or mutilated in any way.
4. Identification. It is unlawful for a person who is engaged in any activity to refuse to exhibit or provide in a reasonable time, upon request of any authorized enforcement personnel, an appropriate license or permit if that person is engaged in an activity that requires such a license or permit.
5. Poisons. It is unlawful for a person to take any fish or wildlife with the aid or use of any poisons or stupefying substances.
6. Domesticated or Tame Wild Animals. It is unlawful for a person to hunt for or kill any domesticated or tame wild animal, except that any person may lawfully kill any wild or domesticated animal found in the act of attacking or wounding that person's domestic animals or destroying that person's property.

7. Gift Moose, Deer and Bear. It is unlawful for a person to possess or transport any gift moose, deer or bear, or parts thereof unless the provisions of Section 100, paragraph 17 are complied with.
8. Gift Moose, Deer and Bear – Restriction. It is unlawful for a person to give any moose, deer, bear or parts thereof taken under the sustenance hunting provisions, to another person who is not a Tribal member.
9. Gift Moose, Deer and Bear – Non-Tribal Person. It is unlawful for a person who is not a Tribal member to receive, possess or accept as a gift, any moose, deer, bear or parts thereof taken under the sustenance hunting provisions.
10. Buying or Selling Moose, Deer and Bear. It is unlawful for a person to buy, sell, barter, offer to sell, offer to buy, offer to barter or to aid and abet in buying selling or bartering any moose, deer, bear or parts thereof, except that the lawful possessor of any moose, deer, bear or parts thereof may:
 - A. Sell or barter the raw hide, feet, claws, head or gall bladder of a bear.
 - B. Sell or barter the raw hide, feet, head or antlers of a moose; or
 - C. Sell or barter the raw hide, feet, head or antlers of a deer.
11. Illegal use of electronic call. It is unlawful for a person to use any electronic call for the purpose of finding, locating, luring or enticing moose, deer, wild turkey or bear to a certain area for the purpose of taking moose, deer or bear, except during legal shooting hours.
12. Wanton Waste. It is unlawful for any person to allow moose, deer or bear to be thrown away, deteriorate, spoil, rot or be rendered inedible due to improper care and/or processing.

CHAPTER 2. HUNTING

Section 200. Hunting - General Provisions

1. License – Tribal Member. Any Tribal member who holds a valid Tribal Sustenance Permit, may hunt on Passamaquoddy Indian Territories by virtue of that permit during the General Open Hunting Season established by this Ordinance, without obtaining any further permit or permits. This section does not authorize non-compliance with existing prohibitions which the Tribal Member may be subject to.
2. License – Non-Tribal Person. Any non-tribal person who holds a valid State of Maine hunting license may hunt on Passamaquoddy Indian Territories by virtue of that license during the General Open Hunting Season established by this Ordinance, provided that person also possesses a valid Passamaquoddy Small Game Tribal Hunting Permit.
3. Sustenance Hunting Permit Holders. Holders of valid regular sustenance hunting permits may hunt under such permits on Sunday.
4. Hunting Under the Influence of Alcohol or Drugs/Duty to Submit. Any person who hunts wild animals or wild birds within Passamaquoddy Indian Territories has a duty to submit to a test to determine that persons blood-alcohol level or drug concentration by analysis of blood, breath or urine if there is probable cause to believe that the person is hunting wild animals or wild birds while under the influence of intoxicating liquor or drugs. The duty to submit to a blood-alcohol or drug concentration test includes the duty to complete either a blood, breath or urine test or any combination of those tests. Tests and procedures for determining whether a person is under the influence of intoxicating liquor or drugs are governed by MRSA Title 12 Section 10703.
5. Tagging Skins. The raw skins of any bobcat, coyote, fox or taken by hunting shall be presented to the Passamaquoddy Warden Service or its agent within 10 days after the close of the open hunting season on that species, for purposes of tagging. All information requested concerning each skin must be reported truthfully and accurately.

Section 201. Tribal Hunting Permit

1. Eligibility. Any non-member of the Passamaquoddy Tribe is eligible to obtain a Tribal Small Game Hunting Permit providing that person possesses a valid State of Maine hunting license.
2. Issuance. The respective Council of the Passamaquoddy Reservations or their designated agents may issue a Tribal Small Game Hunting Permit.
3. Scope. Possession of a valid Tribal Small Game Hunting Permit allows the holder of that permit to engage in the activity of hunting wild animals and

wild birds, except moose, deer, wild turkey and bear on all Passamaquoddy Indian Territories.

4. Expiration. All Tribal Small Game Hunting Permits issued shall be valid only from the date of issuance through December 31st of the year of issuance.
5. Fee. There shall be a \$50.00 fee for a Tribal Small Game Hunting Permit.
6. Exceptions. Tribal Small Game Hunting Permits shall not be required for members of the Passamaquoddy Tribe.

Section 202. Open Hunting Season

1. There shall be an open hunting season for the taking of wild animals by hunting on Passamaquoddy Indian Territories as follows;
 - A. Rabbit October 1 thru March 31
 - B. Gray Squirrel October 1 thru December 31
 - C. Raccoon October 1 thru December 31
 - D. Fox October 20 thru February 28
 - E. Skunk October 20 thru December 31
 - F. Bobcat December 1 thru January 31
 - G. Coyote, Porcupine, Red Squirrel, Woodchuck .. NO CLOSED SEASON
2. There shall be an open hunting season for the taking of wild birds by hunting on Passamaquoddy Indian Territories as follows:
 - A. Ruffed Grouse September 1 thru December 31
 - B. Pheasant October 1 thru December 31
 - C. Woodcock October 1 thru November 30
 - D. Ducks (except canvasback and harlequin) . October 1 thru November 30
 - E. Geese September 1 thru November 30
 - F. Brant October 1 thru November 30
 - G. Merganser October 1 thru November 30
 - H. English Sparrow September 1 thru August 31
 - I. Starling September 1 thru August 31
 - J. Crow Feb 1 thru April 30 and July 16 thru September 30
3. There shall be a perpetual closed season for the taking of any wild animal or wild bird not listed in this section.

Section 203. Bag Limits: Possession Limits

1. The daily bag limit and possession limit on wild animals and wild birds taken by hunting during the open hunting season shall be as follows:

A. Rabbit	Daily Limit 8	Possession Limit	16
B. Gray Squirrel	Daily Limit 4	Possession Limit	8
C. Ruffed Grouse	Daily Limit 4	Possession Limit	8
D. Woodcock	Daily Limit 3	Possession Limit	6
E. Pheasant	Daily Limit 4	Possession Limit	8
F. Ducks (see notes)	Daily Limit 4	Possession Limit	8
G. Geese	Daily Limit 3	Possession Limit	6
H. Brant	Daily Limit 2	Possession Limit	4
I. Merganser (see notes)	Daily Limit 5	Possession Limit	10
J. Other legal specials	No daily or possession limit		

Note 1: The daily limit on ducks shall not include more than 2 wood ducks, 3 male mallard ducks, 1 female mallard duck, 1 pintail duck, 1 black duck or 2 redhead ducks (no open season on canvasback or harlequin ducks.)

Note 2: The possession limit on ducks shall not include more than 4 wood ducks, 6 male mallard ducks, 2 female mallard ducks, 2 pintail ducks, 2 black ducks or 4 redhead ducks (no open season on canvasback ducks).

Note 3: The daily limit on mergansers shall not include more than 1 hooded merganser.

Note 4: The possession limit on mergansers shall not include more than 2 hooded mergansers.

Note 5: During the open duck season, 2 blue-winged teal or 2 green-winged teal or 1 of each, may be taken daily in addition to the regular daily limit of ducks.

Section 204. Hunting – Prohibited Acts

1. Tribal Hunting Permit Required. It is unlawful for a non-tribal person to engage in hunting activities within Passamaquoddy Indian Territories without possessing a valid Tribal Small Game Hunting Permit issued in accordance with the provisions of Section 201.
2. Hunting Between 10 and 16 Years of Age. It is unlawful for a person between 10 and 16 years of age to hunt with a firearm unless that person has successfully completed an approved Hunter Safety Course and while hunting is accompanied by and in the immediate presence of a parent or

approved guardian who is at least 18 years of age and who has successfully completed an approved Hunter Safety Course or is able to furnish proof of possessing a valid license issued for hunting with firearms in any calendar year since 1976.

3. Hunting Under the Age of 10. It is unlawful for a person under 10 years of age to hunt with a firearm.
4. Closed Season Violation. It is unlawful for a person to hunt or attempt to hunt any wild animal or wild bird except during the open hunting season for that wild animal or wild bird established by these Ordinances.
5. Possession – Wild Animal or Wild Bird. It is unlawful for a person to possess or transport any wild animal or wild bird except one lawfully taken during the open hunting season for that wild animal or wild bird established by these Ordinances.
6. Hunting or Transporting Without License and Permit on His Person. It is unlawful for a person to fail to keep his tribal sustenance permit on his person while hunting on Passamaquoddy Indian Territories or while transporting any wild animal or wild bird taken on Passamaquoddy Indian Territories.
7. Hunting under the influence of Liquor or Drugs. It is unlawful for a person to hunt for any wild animal or wild bird while under the influence of intoxicating liquor and/or drugs. A person will be considered hunting under the influence of intoxicating liquor if 21 years of age or older while having 0.08% or more by weight of alcohol in that person's blood or if less than 21 years of age while having any amount of alcohol in that person's blood.
8. Failure to Comply With Duty to Submit. Any person who refuses to submit to and complete a blood-alcohol or drug concentration test, or both, when requested to do so by a law enforcement officer, who has probable cause to believe that person hunted, violates this section and is subject to a mandatory \$500 fine.
9. Hunting on Sunday. It is unlawful for a person to hunt for any wild animal or wild bird on Sunday, except that holders of Sustenance hunting permits may hunt under such permits on Sunday.
10. Night Hunting. It is unlawful for a person to hunt or attempt to hunt for any wild animal or wild bird at any time between 1/2 hour after sunset and 1/2 hour before sunrise the following day, except that a person may hunt for raccoons as provided for in Section 204, paragraph 11.
11. Night Hunting – Raccoons. It is unlawful for a person to hunt for raccoons at night during the open hunting season unless that person:
 - A. Is accompanied by a dog or dogs;
 - B. Is in possession of and uses an electric flashlight to locate raccoons that are treed or held at bay by a dog or dogs; and

C. Is in possession of and uses a rifle, pistol or revolver no greater power of caliber than one which uses .22 caliber long rifle ammunition except that said rifle, pistol or revolver is to be loaded only when being used to dispatch a raccoon that is treed or held at bay by a dog or dogs.

12. Exceeding Bag Limit. It is unlawful for a person to possess at any time more than the numerical limits of any given wild animal or wild bird which are specifically set forth in these Ordinances.
13. Hunting from Paved Way. It is unlawful for a person to hunt for any wild animal or wild bird from a paved way or within 10 feet of the edge of a paved way.
14. Shooting over a Paved Way. It is unlawful for a person to shoot at any wild animal or wild bird over a paved way.
15. Loaded Firearm In or On a Motor Vehicle. It is unlawful for a person to have in or on a motor vehicle or other land conveyance any firearm with a cartridge or shell in the chamber or in an attached magazine clip or cylinder, or muzzle-loading firearm charged with powder, lead and primed-ignition device or mechanism.
16. Loaded Crossbow in Vehicle. It is unlawful for a person to have in or on a motor vehicle or other land conveyance any crossbow with a bolt or arrow nocked on the cocked string and ready to fire.
17. Hunting with Concealed Weapon. It is unlawful for a person to hunt with any firearm that is carried, either on his person or in a conveyance, by virtue of a concealed weapons permit.
18. Hunting Without Hunter Orange Clothing. It is unlawful during any firearms season on moose, deer or bear, for a person to hunt or accompany another person who is hunting unless a hat, vest or jacket of solid colored hunter orange is worn, except that a person hunting moose during the Elder sustenance moose hunt may wear 1 article (hat, vest or jacket) of so called "break-up" hunter orange. Any person hunting waterfowl from a boat or blind or in conjunction with waterfowl decoys need not wear hunter orange clothing.
19. Hunting Near Dwellings. It is unlawful for a person while hunting to discharge a firearm within 100 yards of a year-round residential dwelling.
20. Hunting Near Logging Operation. It is unlawful for a person while hunting to discharge a firearm within a posted area of an active logging operation.
21. Hunting with Dogs – Wild Animals and Wild Birds. It is unlawful for a person to use a dog or dogs to hunt for any wild animal or wild bird other than rabbit, bobcat, coyote, fox, raccoon, ruffed grouse, woodcock, geese, ducks, brant, merganser or pheasants.

22. Illuminating – Wild Animals or Wild Birds. It is unlawful for a person to use any artificial light for the purpose of illuminating, seeking or locating any wild animal or wild bird 1/2 hour after sunset until 1/2 hour before sunrise, except that a person may use an artificial light to hunt raccoon at night as provided for in Section 204, paragraph 11.
23. Automatic Firearm. It is unlawful for a person to hunt with an automatic firearm.
24. Auto-loading Firearm. It is unlawful for a person to hunt with any auto-loading firearm, except a pistol or revolver of any caliber, or a .22 caliber rifle, having a magazine capacity of more than 5 cartridges, unless the magazine has been permanently altered so as to prevent the loading of more than 5 cartridges.
25. Silencers. It is unlawful for a person to hunt with any firearm equipped or contrived with any device for deadening the sound of explosion, this device being commonly called a silencer.
26. Tracer Bullets. It is unlawful for a person to possess while hunting any cartridge containing a tracer bullet.
27. Explosive Bullets. It is unlawful for a person to possess while hunting any cartridge containing an explosive bullet.
28. Illegal Shotgun. It is unlawful for a person while hunting migratory birds to hunt with a shotgun capable of holding more than 3 shells unless the magazine has been plugged or permanently altered so that the capacity of the shotgun is incapable of holding more than 3 shells in the magazine and chamber combined.
29. Crossbow. It is unlawful for a person to hunt with a crossbow except during the open regular sustenance seasons for moose deer and bear. RIFLE SEASONS ONLY.
30. Illegal Hunting Implements. It is unlawful for a person to use a snare, trap, swivel, pivot set gun or a .22 long rifle or smaller, to hunt moose, deer or bear, except that a person may use a cable trap (foot snare) or similar device for the taking of bear.
31. Legal Hunting Implements. It is unlawful for a person to hunt any wild animal or wild bird except by the common and ordinary method of shooting with a firearm not larger than 10-gauge or shooting with archery implements.
32. Illegal Archery Implements. It is unlawful for a person to hunt moose, deer wild turkey and bear with archery implements unless:
 - A. The bow has a minimum draw weight of not less than 35 pounds.
 - B. The arrow is equipped with a broadhead that is not less than 7/8 inch in width and at least 100 grains in weight.

33. Unlawful Supervision. It is unlawful for a person who has not successfully completed an approved Hunter Safety Course, or who cannot furnish proof of possessing a valid license issued for hunting with firearms in any calendar year since 1976, to supervise and act as a guardian for a person who is between 10 and 16 years of age who is hunting with a firearm, and who has not successfully completed an approved Hunter Safety Course.
34. Tagging. It is unlawful for a person to fail to comply with the tagging requirements and provisions of Section 200, paragraph 5.
35. Lead Shot Prohibited. It is unlawful for a person to use lead shot while hunting for waterfowl.

CHAPTER 3. FISHING

Section 300. Fishing – General Provisions

1. License. Any person who holds a valid State of Maine fishing license may fish on the waters within the Passamaquoddy Indian Territories during the open fishing season as established by Title 12, MRSA, without further obtaining any permit or permits.
2. Laws and Regulations. Statutes, rules and regulations covering all waters within Passamaquoddy Indian Territories over which the Passamaquoddy Indian Tribe has exclusive jurisdiction shall be the same as established by Title 12, MRSA.
3. Enforcement. Any person who violates any of the provisions of State of Maine statutes, rules and regulations applicable to fishing, while fishing on waters over which the Passamaquoddy Tribe has exclusive jurisdiction, shall be cited for a violation of a prohibited act in Title 12, MRSA.
4. Possession. Any person found in possession of any fish within Passamaquoddy Indian Territories shall be deemed to have taken those fish within Passamaquoddy Indian Territories.

CHAPTER 4. TRAPPING

Section 400. Trapping – General Provisions

1. The taking of wild animals by trapping during the open sustenance trapping season shall be for Tribal persons only and for sustenance reasons only.
2. To engage in the activity of trapping, any Tribal member must first obtain a Tribal sustenance trapping permit in accordance with the provisions of Section 401.
3. There shall be a perpetual closed season for the taking of any wild animal by trapping except as specified in these Ordinances.
4. Notwithstanding Section 402, a person may lawfully possess any other, mink, otter or muskrat incidentally taken during the open beaver trapping season.
5. Any person who catches an animal in a trap during which time the season is closed on that animal shall notify a Tribal Warden within 48 hours as to the circumstances, and at the time, the Tribal Warden Service will retain said animal for educational or ceremonial purposes.

Section 401. Tribal Sustenance Trapping Permit

1. Eligibility. Any member of the Passamaquoddy Indian Tribe is eligible to obtain a Tribal sustenance trapping permit.
2. Issuance. The respective council of each reservation or their designated agents may issue a Tribal sustenance trapping permit.
3. Scope. Possession of a valid Tribal sustenance trapping permit allows the holder of that permit to engage in the activity of trapping on all Passamaquoddy Indian Territories.
4. Expiration. All Tribal sustenance trapping permits issued shall be valid only from the date of issuance thru December 31st of the year of issuance.
5. Fee. There shall be no fee for a Tribal sustenance trapping permit.

Section 402. Open Sustenance Trapping Season (Tribal Members Only)

1. There shall be open sustenance trapping seasons for the taking of wild animals by trapping on Passamaquoddy Indian Territories as follows:
Early season: fox and coyote October 20 through October 31
 - a. All traps must be set at or below ground level.
 - b. Killer-type traps are not allowed.

- c. Traps are not allowed to be set in the water.
- d. All exposed bait or visible attractor are not allowed.
- e. Any incidental opossum, raccoon or skunk which you catch in your fox and coyote traps may be kept. Any other furbearing animal caught incidentally in your fox and coyote traps must be immediately released alive, or, if found dead, must be left there in the trap and be reported to a game warden as soon as possible.

General season: mink, otter, raccoon, fox, skunk, weasel, coyote, bobcat, fisher, marten and porcupine November 1 through December 31
Muskrat season October 1 through April 31
Beaver season: November 15 through April 7

Section 403. Tagging Requirements

1. The raw skins of any beaver, bobcat, coyote, fisher, fox, mink, otter, and marten taken by trapping shall be presented by the person taking such animal to the Passamaquoddy Warden Service or its agent for such purposes of tagging, within 10 days after the close of the open sustenance trapping season on that species. All information requested concerning each skin must be reported truthfully and accurately.
2. The raw skins of any bobcat, coyote, and fox taken by hunting shall be presented to the Passamaquoddy Warden Service or its agent for such purposes of tagging, within 10 days after the close of the open hunting season on that specie. All information requested concerning each skin must be reported truthfully and accurately.

Section 404. Exceptions

1. Coyotes. Coyotes may be taken by the use of snares under the provisions set forth in Section 704 which provides for the issuance of Special Permits by the Passamaquoddy Warden Service.
 - A. Special permits for the taking of coyotes by snaring shall be issued only to a person who, if in the opinion of a Tribal Warden, is trained and qualified to snare coyotes in accordance with the Passamaquoddy Warden Service's snare policy.
 - B. The Special Permit shall:
 - (1) Designate the person to whom it was issued;
 - (2) Specify the area in which the snaring may be done;
 - (3) Specify the starting and expiration dates of the permit; and
 - (4) Specify any restrictions, limitations or special provisions.

2. Bear. Bear may be taken by trapping only if the following provisions are met:
 - A. The trapping device is a cable trap (foot snare) or similar device;
 - B. The cable trap must have a closing diameter of not less than 2 1/2 inches.
 - C. Cable traps must be set at or below ground level in such a manner as to catch the animal only by the foot or leg.
 - D. No more than two cable traps or similar devices are set and in place at any trap site location or locations at any one time by any one person;
 - E. The cable trap is plainly labeled with the person's name and address who set and placed such device;
 - F. Each cable trap is tended at least once in every 24 hour period by the person who set and placed such device;
 - G. Any bear caught shall be released unharmed or killed by the person who set and placed the cable trap;
 - H. Any bear caught and killed shall be tagged, transported and registered in the same manner as provided for in the taking of bear by sustenance hunting; and
 - I. Any bear taken by trapping shall be included in the annual bag limit for the taking of bear under the sustenance hunting provisions.
3. Rabbits. Rabbits may be taken by snaring only if the following provisions are met:
 - A. No person may have more than 12 snares set and in place at any one time;
 - B. Each snare shall be plainly labeled with the name and address of the person that placed the snare;
 - C. Each snare shall be tended at least once in every 24 hour period;
 - D. Snares shall be placed only during the open hunting season for rabbits;
 - E. The use of snares for the taking of rabbits is permitted only by Tribal members;
 - F. Any rabbit taken by snaring shall be included in the possession limit allowed for the taking of rabbits by hunting; and
 - G. Each snare placed shall be removed by the person who placed such snare at or before the end of the open hunting season for the taking of rabbits.
4. Beaver. Snares may be used to trap for beaver, only if they are set completely underwater.

Section 405. Prohibited Acts – Trapping

1. Closed Season Violation. It is unlawful for a person to trap or attempt to trap any wild animal except during the open sustenance trapping season for the wild animal.
2. Possession – Wild Animal. It is unlawful for a person to possess or transport any wild animal taken by trapping except one lawfully taken during the open sustenance trapping season for that wild animal.
3. Trapping – Wild Bird. It is unlawful for a person to trap or attempt to trap any wild bird.
4. Possession – Wild Bird. It is unlawful for a person to possess or transport any wild bird taken by trapping.
5. Labeling of Traps. It is unlawful for a person to set and place any trap at any trap site location unless that trap is clearly marked with the name and address of the person who set and placed the trap.
6. Trapping Near Dwellings. It is unlawful for a person to set, place or tend a trap, except a so-called drowning set, within 150 feet of an occupied dwelling or on cultivated or pasture area of land that is used for agricultural purposes and on which there is an occupied dwelling, without first obtaining the written consent of the occupant.
7. Tending Requirements. It is unlawful for a person who sets and places a foot hold trap, to fail to tend each trap at least once in every 24-hour period, except so called drowning sets.
8. Tending Requirements-drowning, colony, conibear or killer-type traps.
It is unlawful for a person who sets and places a drowning set, colony, conibear or killer-type trap, to fail to tend each trap at least once in every 7 calendar days.
9. Disturbing Traps. It is unlawful for a person to disturb or take any trap, or any wild animal from any trap other than his own, without the consent of the person who set and placed the trap, except that any agent of the Passamaquoddy Warden Service may disturb or remove any trap set or placed in violation of these Ordinances.
10. Snares. It is unlawful for a person to set, place or tend any snare, except in accordance with the provisions of Section 404.
11. Killer-type Traps – Restriction. Killer-type traps may be used to trap for all legal species of furbearing animal, but the size of the traps (jaw spread) determines where you are allowed to set them:
 1. Killer-type traps with a jaw spread of 5 inches or less are the only killer type traps which you are allowed to set at ground or snow level. (They may also be set above ground level or under water.)

2. Killer-type traps with a jaw spread from 5 to 8 inches may be used only if they are set completely underwater or at least 4 feet above the ground or snow.
 3. Killer-type traps with a jaw spread greater than 8 inches may be used only during the beaver trapping season and must be set completely underwater.
11. Use of Meat or Fish in Beaver Trapping. It is unlawful for a person to use meat or fish as bait in trapping for beaver.
 12. Muskrat House – Setback Requirements. It is unlawful for a person to set, place or tend any trap within 5 feet of a muskrat house.
 13. Beaver House – Setback Requirements. It is unlawful for a person to set, place or tend any trap within 5 feet of a beaver house.
 14. Traps Near Other Traps – Setback Requirements. It is unlawful for a person to set and place any trap within four feet of a trap set and placed by another person.
 15. Incidental Catch. It is unlawful for a person to fail to comply with the incidental catch notification requirements of Section 400, paragraph 5.
 16. Tagging. It is unlawful for a person to fail to comply with the tagging requirements and provisions of Section 403.
 17. Untagged Raw Skins. It is unlawful for a person to possess, sell, give away, buy, accept as a gift, offer for transportation or transport the raw skin of any beaver, bobcat, fisher, fox, mink, otter or marten unless each raw skin is tagged, except that the trapper of these raw skins may lawfully possess and transport such untagged raw skins for the purpose of complying with tagging requirements mandated by these Ordinances.
 18. Possession of Firearms. It is unlawful for a person to possess a firearm without a valid hunting license except that a person in possession of a valid sustenance trapping permit may carry a .22 caliber pistol or revolver at any time during the open sustenance trapping season for the sole purpose of dispatching trapped animals.
 19. Destruction of Beaver Dams, etc. It is unlawful for a person to willfully damage, destroy or molest any beaver house, beaver dam, or muskrat house
 20. Bear Trapping. It is unlawful for a person who traps or attempts to trap any bear to fail to comply with the provisions as set forth in Section 404, paragraph 2.
 21. Rabbit Snaring. It is unlawful for a person who snares or attempts to snare any rabbit to fail to comply with the provisions as set forth in Section 404, paragraph 3.

CHAPTER 5. REGULAR SUSTENANCE

Section 500. Regular Sustenance Hunting – General Provisions

1. The taking of moose, deer, wild turkey and bear on Passamaquoddy Indian Territories under a regular sustenance permit shall:
 - A. Be for sustenance reasons only;
 - B. Be limited to Tribal members only;
 - C. Be only during the open regular sustenance hunting season;
 - D. Be only with lawful hunting implements; and
 - E. Be only by a person who possesses a valid Tribal regular sustenance hunting permit.
2. Registration of moose, deer, wild turkey and bear. Any moose, deer, wild turkey or bear taken within the Passamaquoddy Indian Territories shall be registered by the person who killed the animal, within 24 hours, with the Passamaquoddy Warden Service or its designated agent for the purpose of inspection, tagging and registration, except that:
 - A. A person on a hunting trip and staying at a temporary place of lodging may keep an unregistered moose, deer or bear at that temporary place of lodging for a period of time not to exceed 7 days or until that person leaves the woods, whichever comes first, without notifying a Tribal Warden.
 - B. A person may, if necessary, leave an unregistered moose, deer, wild turkey or bear in the woods for more than 24 hours providing that person notifies a Tribal Warden as to the location of the moose, deer, wild turkey or bear and the circumstances necessitating that person's need for leaving the animal in the woods.
3. Transportation of Moose, Deer, wild turkey and Bear. Any moose, deer, wild turkey or bear taken within the Passamaquoddy Indian Territories shall be transported by the person who killed the animal and shall be transported in the following manner:
 - A. The tag portion of the sustenance hunting permit bearing the name and address of the person who killed the animal shall be securely attached to the animal.
 - B. The person who killed the animal shall accompany it at all times while it is being moved or transported; and
 - C. The moose, deer or bear shall be open to view at all times until it is lawfully registered by a Tribal Warden or designated agent.

4. Tagging of Moose, Deer, wild turkey and Bear. All moose, deer, wild turkey or bear taken within the Passamaquoddy Indian Territories shall be tagged in the following manner:
 - A. Immediately upon killing the animal, the person who killed the animal shall detach the tag portion from his or her sustenance hunting permit and securely attach it to the killed animal so that it is plainly visible; and
 - B. The tag shall bear the full name and address of the person who killed the animal.
5. Fee for Registering Moose, Deer, wild turkey or Bear. There shall be no fee charged to any individual Tribal person for registering any moose, deer, wild turkey or bear taken under the sustenance hunting provisions.
6. Registration Stations for Moose, Deer, wild turkey or Bear. In addition to one registration station on each Passamaquoddy Reservation, other designated agents may be established for the purpose of registering moose, deer, wild turkey and bear taken within Passamaquoddy Indian Territories:
7. Registration Station Agent Requirements. All moose, deer, wild turkey and bear presented to any registration station as established in this Section, shall be registered as follows:
 - A. The designated agent shall register each moose, deer, wild turkey or bear presented by the person who killed such animal in a manner as directed by the Passamaquoddy Warden Service;
 - B. The designated agent shall retain the tag portion of the sustenance hunting permit of the person who registers any moose, deer, wild turkey or bear taken under the sustenance hunting provisions;
 - C. The designated agent shall attach a metal seal to each moose, deer, wild turkey or bear; and
 - D. The designated agent shall receive \$1.00 from the Passamaquoddy Indian Tribe for each moose, deer, wild turkey or bear that the agent registered.
8. Dismembered Moose, Deer and Bear. Any moose, deer or bear taken within Passamaquoddy Indian Territories may be dismembered for ease of handling and transportation. The entire animal, except the viscera, shall be presented for registration.
9. Baiting Bear. Bait may be used for the taking of bear providing the following provisions are met:
 - A. The bait shall be placed at least 50 yards from any travel way that is reasonably passable by a conventional 2-wheel or 4-wheel drive automobile or truck;

- B. The baiting area, bait, and tree stand shall be more than 200 yards from any dump or campground;
 - C. The tree stand or bait area shall be conspicuously identified with the name and address of the person who placed the bait or bait containers;
 - D. The bait shall not be placed more than 30 days prior to the first day of the open season for the taking of bear; and
 - E. The bait containers and any litter within the baiting area shall be cleaned up within 10 days following the last day of the open season for the taking of bear.
10. **Turkey Hunting.** Wild turkey may be taken for sustenance purposes only if the following provisions are met:
- A. Only shotguns gauges 10 through 20 using shot sizes 4-6, or legal archery implements may be used.
 - B. No wild turkey may be taken while it is in a tree.
 - C. The taking of wild turkeys will only be allowed in areas which have been approved by the Passamaquoddy Warden Service (contact office for annually updated list).
 - D. No person may use dogs, bait or traps for the purpose of capturing wild turkeys.

Section 501. Open Regular Sustenance Season – Moose, Deer, Wild Turkey and Bear

There shall be an open regular sustenance hunting season for the taking of moose, deer, wild turkey and bear as follows:

- A. Moose, either sex September 1 through Sept. 30 (Archery Only)
- B. Moose, either sex September 24 through Sept. 30
(Age 55 and older only. See Sect. 600)
- C. Moose, bulls only, October 1 thru the first Sunday in November
6" minimum antlers
- D. Deer, either sex September 1 through Sept. 30 (Archery Only)
..... October 1 through Nov. 30 (See part E for other restrictions)
- E. Deer, bucks only November 1 through November 30:
3" minimum antler
Indian Township only, except
Tribal elders (55 years of age and older)
and youth (10 through 15 years of age).
- F. Deer, bucks only December 1 through December 14,
3" minimum antler
(Muzzleloader only)

- G. Bear, either sex September 1 through Sept. 30 (Archery Only)
..... October 1 through Nov. 30
- H. Wild Turkey (bearded) May 1 through May 31 (1/2 before sunrise
until 12:00 p.m. (noon) local time)
- I. Wild Turkey (any sex) September 1 through Sept. 30 (Archery Only)

**** Contact Passamaquoddy Warden departments
for a list of areas open to turkey hunting****

Section 502. Season Bag Limit – Moose, Deer, Wild Turkey and Bear

The season bag limit for the taking of moose, deer and bear during the open regular sustenance season shall be as follows:

- A. Moose 1 per season per household
- B. Deer 1 per season per person
- C. Bear 1 per season per person
- D. Wild Turkey 1 per season per person (2 seasons)

Section 503. Tribal Sustenance Hunting Permit

1. **Eligibility.** Any member of the Passamaquoddy Indian Tribe is eligible to obtain a Tribal sustenance hunting permit, providing that person meets the Hunter Safety requirements as set forth in Section 100, paragraph 19.
2. **Issuance.** The respective Council of the Passamaquoddy Reservations or their designated agents may issue a Tribal sustenance hunting permit. The issuer of such permits shall not issue a sustenance hunting permit for the taking of moose, deer or bear to any person who is currently holding a valid intact sustenance hunting permit that was issued for the taking of moose, deer, wild turkey or bear.
3. **Application Procedure.** Persons who wish to obtain a sustenance hunting permit shall apply to the Passamaquoddy Warden Service or Tribal Clerk.
4. **Scope.** Possession of a valid Tribal sustenance hunting permit allows the holder of that permit to hunt moose, deer, wild turkey and bear on all Passamaquoddy Indian Territories during the open sustenance season established in this Ordinance. Any person issued a sustenance hunting permit for the taking of moose may select a subpermittee of his choice, so long as that person is a Tribal member. The permit shall state the subpermittee's name and shall allow the subpermittee to kill a moose under the permittee's permit, providing that he hunts in the presence of the permittee. Such presence shall be within seeing and hearing distance, unaided by visual or audio enhancement devices, including binoculars and

citizen band radios. The subpermittee shall be subject to the same restrictions and prohibited acts applicable to the taking of moose as the holder of the permit.

5. Expiration. All Tribal sustenance hunting permits issued shall be valid only from the date of issuance through December 31st of the year of issuance.
6. Restrictions. No more than one member of a household shall be eligible to obtain a sustenance hunting permit for the taking of moose for that household.
7. Exceptions. When a Passamaquoddy household has no adult Tribal member capable of hunting for sustenance, the respective Warden Services may authorize the issuance of a sustenance hunting permit to an eligible Tribal member who may hunt under that permit for that household. When a Tribal member is so authorized to hunt for the sustenance of another household, all parts of the moose, deer or bear taken shall be turned over to that household.
8. Fee. There shall be a \$1.00 fee for a sustenance hunting permit.

Section 504. Prohibited Acts –Sustenance Hunting

1. Obtaining Permit – Restriction. It is unlawful for a person to obtain or attempt to obtain a sustenance hunting permit for the taking of moose, if any member of that person's household holds or possesses a valid sustenance hunting permit issued for the taking of moose, unless the second or subsequent permit is issued under Section 503, paragraph 7.
2. Failing to Turn Over Moose, Deer or Bear. It is unlawful for a person who is authorized to hunt for another household under the provisions of Section 503, paragraph 7 to fail to turn over all parts of a moose, deer or bear to the head of that household.
3. Annual Bag Limit – Moose. It is unlawful for a person who is hunting under a sustenance hunting permit to hunt, kill, register or possess more than one moose in any calendar year, except as provided for in Section 503, paragraph 7; or State of Maine statutes and rules.
4. Annual Bag Limit – Deer. It is unlawful for a person who is hunting under a sustenance hunting permit to hunt, kill, register or possess more than one deer in any calendar year, except as provided for in Section 503, paragraph 7; or State of Maine statutes and rules.
5. Annual Bag Limit – Bear. It is unlawful for a person who is hunting under a sustenance hunting permit to hunt, kill, register or possess more than one bear in any calendar year, except as provided for in Section 503, paragraph 7; or State of Maine statutes and rules.

6. Presence of Subpermittee – Moose Hunting. It is unlawful for a person who is hunting as a subpermittee under a sustenance hunting permit issued for the taking of moose, to hunt moose except in the presence of the holder of such permit.
7. Possession of More Than One Sustenance Hunting Permit – Moose and Turkey. It is unlawful for a person to possess more than one valid, intact sustenance moose or turkey hunting permit, at any one time.
8. Possession of More Than Two Sustenance Hunting Permits– Deer, Bear. It is unlawful for a person to possess more than two valid, intact unpunched sustenance deer, bear hunting permits at any one time.
9. Allowing Non-tribal Persons to Participate in a Sustenance Hunt. It is unlawful for any Tribal person who is hunting under a sustenance hunting permit to allow any non-tribal person to participate in any way, while that Tribal person is actively hunting under such permit. Exception; the spouses, children, parents, grandparents or siblings of the Tribal Member may be present.
10. Non-tribal Persons Participating in Sustenance Hunting. It is unlawful for any Non-Tribal person to participate in any way while a Tribal person is actively hunting under a sustenance hunting permit. Exception; the spouses, children, parents, grandparents or siblings of the Tribal Member may be present.
11. Sustenance Hunting Permit Required. It is unlawful for a Tribal member to engage in sustenance hunting activities within Passamaquoddy Indian Territories without possessing a valid Sustenance Hunting Permit.
12. Illegal Registration. It is unlawful for a person to fail to comply with the registration requirements for registering a moose, deer, wild turkey or bear as provided for in Section 500, paragraph 2.
13. Illegal Transportation. It is unlawful for a person to fail to comply with the transportation requirements in transporting a moose, deer, wild turkey or bear as provided in Section 500, paragraph 3.
14. Illegal Tagging. It is unlawful for a person to fail to comply with the tagging requirements for tagging a moose, deer, wild turkey or bear as provided for in Section 500, paragraph 4.
15. False Registration of Moose, Deer, wild turkey or Bear. It is unlawful for a person to register any moose, deer, wild turkey or bear that he did not kill, or to allow another person to register a moose, deer, wild turkey or bear that he killed.
16. Failure to Register Any Moose, Deer, wild turkey or Bear. It is unlawful for a person who kills any moose, deer, wild turkey or bear to fail to present the animal for registration in his name at the first open registration station on the route taken by him.

17. Failure to Register Whole or Dismembered Moose, Deer or Bear. It is unlawful for a person who dismembers any moose, deer or bear to fail to present for registration the whole or dismembered parts of any moose, deer or bear as provided for under the provisions of Section 500, paragraph 8.
18. Illegal Registration of Moose, Deer, wild turkey or Bear. It is unlawful for a person who is hunting under a sustenance hunting permit to present for registration or to register any moose, deer, wild turkey or bear taken outside the boundary lines which delineate the Passamaquoddy Indian Territories.
19. Illegal Baiting of Bear. It is unlawful for a person who is baiting for bear to fail to comply with the bear baiting provisions as set forth in Section 500, paragraph 9.
20. Illegal Turkey Hunting. It is unlawful for a person to fail to comply with the turkey hunting provisions set forth in Section 500, Paragraph 10.
21. Illegal Hunting with a Muzzleloader. It is unlawful to hunt with any firearm except a muzzle-loading firearm as defined in Section 101, Paragraph #19 during the muzzleloader only season.

CHAPTER 6. ELDER SUSTENANCE MOOSE HUNT

Section 600. Elder Sustenance Moose Hunting – General Provisions

1. The taking of moose on Passamaquoddy Indian Territories during the Elder Sustenance Moose Hunt shall:
 - A. Be for sustenance reasons only;
 - B. Be limited to Tribal members who are 55 years of age and older only;
 - C. Be only during the Elder sustenance moose hunting season;
 - D. Be only with lawful hunting implements; and
 - E. Be only by a person who possesses a valid Tribal regular sustenance hunting permit.
2. The transportation, tagging and registration of moose taken during the open Elder sustenance moose hunt shall be in accordance with the provisions of Section 500, paragraphs 2 through 8.
3. There shall be no fee charged for registering moose taken during the open Elder sustenance moose hunting season.

Section 601. Open Elder Sustenance Moose Season.

- A. Moose, either sex September 24th through September 30th

Section 602. Elder Sustenance Moose Season Bag Limit

- A. Moose 1 per season per household

Section 603. Tribal Elder Sustenance Moose Hunting Permit

1. Eligibility. Holders of valid regular sustenance hunting permits may hunt under such permit during the Elder sustenance moose hunting season, provided that person can show proof that he is 55 years of age or older.
2. Scope. Possession of a valid Tribal sustenance hunting permit allows the holder of that permit to hunt moose on all Passamaquoddy Indian Territories during the open Elder sustenance moose season established in this Ordinance

3. Restrictions. Only the Tribal elder may hunt a moose during the Elder sustenance moose season. Subpermittees or designated hunter shall not be allowed to hunt a moose for the Tribal elder during this season.

Section 604. Prohibited Acts – Elder Sustenance Moose Hunting

In addition to the following, all applicable prohibited acts from Section 504 apply.

1. Persons Participating in Elder Sustenance Moose Hunt. It is unlawful for any person to hunt or attempt to hunt a moose for a Tribal Elder during the Elder sustenance moose hunt.
2. Elder Sustenance Moose Season Violation. It is unlawful for a Tribal Elder to hunt moose with a firearm during September except during the Elder sustenance moose season.
3. Hunting Without Hunter Orange Clothing. It is unlawful during the Elder sustenance moose season for a person to hunt or accompany another person who is hunting unless a hat, vest or jacket of solid colored or “break-up” hunter orange is worn.

CHAPTER 7. ENFORCEMENT

Section 700. Jurisdiction

1. Any person who violates any provision of these Ordinances, including any provision of any State of Maine statutes applicable within Passamaquoddy Indian Territories and referred to in these Ordinances, shall be prosecuted in the courts of the State of Maine in a Court of competent jurisdiction as follows:
 - A. Tribal Person on Passamaquoddy Indian Territories. Any Tribal person cited for a violation of any provision of these Ordinances shall be prosecuted in the Passamaquoddy Tribal Court of Law.
 - B. Non-Tribal Person on Passamaquoddy Indian Territories. Any non-tribal person cited for a violation of any provision of these Ordinances shall be prosecuted in a State of Maine Court of Law.

Section 701. Fines and Imprisonment

Any person convicted of a violation of any provision of these Ordinances, except when section 703 is applicable, shall be assessed a fine of not less than \$50 not more than \$1,000. And shall be subject to imprisonment for not more than 364 days.

Section 702. Revocation / Non-issuance of Permits

Upon conviction of violating any provision of section 703, the presiding Court shall impose a revocation of not less than one year and not to exceed 5 years, from the date of conviction, of all permits issued according to these Ordinances.

Any person convicted of violating the provisions of section 703, shall be ineligible to obtain any Tribal permit authorized by these Ordinances for not less than one year from the date of conviction.

Section 703. Violations Requiring Minimum Mandatory Sentence

Any person convicted of violating the following provisions of these Ordinances shall be assessed a fine of not less than \$1,500 and shall be subject to imprisonment for not less than 4 days and not more than 364 days:

1. Night hunting
2. Exceeding the bag limit, (Moose, Deer, wild turkey or Bear)
3. Closed season violation, (Moose, Deer, wild turkey or Bear)
4. Hunting without a valid license or permit, (Moose, Deer, wild turkey or Bear)

Section 704. Issuance of Special Permits –Warden Service

1. General limitation; The purpose of this section is intended to assist the Passamaquoddy Warden Service with carrying out their duties. This section shall not be used to benefit groups or individuals. If a permit issued under this section violates any provision of these Ordinances, documented just cause will be attached to all three copies of the permit.
2. Any member of the Passamaquoddy Warden Service may, at his discretion, issue special permits that will allow a person to take, possess and transport fish and wildlife under certain conditions which are not specified in these Ordinances. The special permit shall specify the conditions of the permit and to whom it was issued. The person whom the permit was issued shall at all times have the permit on his person while in possession of or transporting such fish and wildlife. This special permit can allow, but is not restricted to, the taking of nuisance, injured or diseased fish and wildlife. Any permits issued under this Section shall be issued in triplicate. The first copy is to be retained by the permittee; the second copy is to be retained by the Warden Service or Tribal Clerk of the reservation which issued the permit; and the third copy is to be forwarded to the Warden Service or Tribal Clerk of the reservation which did not issue the permit..
3. Failing to Comply with Special Permit Restrictions. It is unlawful for a person to fail to comply with any restriction, limitation, or special provision as specified on a Special Permit issued to him under the provisions of this Section.

Section 705. Seizure of Fish and Wildlife

1. All fish and wildlife taken on Passamaquoddy Indian Territories and transported or found in possession of a person cited for violating the following provisions of these Ordinances may be considered contraband and may be subject to seizure by any Tribal Warden:
 - A. Exceeding bag limit;
 - B. Taken by night hunting;
 - C. Taking during closed season; or
 - D. Taken without a valid license or permit.
2. Any Tribal Warden making a seizure of fish and wildlife, except moose, deer and bear, may make disposal of such fish and wildlife at his discretion.
3. Any Tribal Warden making a seizure of a moose, deer or bear, shall, by the most reasonable means available, give the seized moose, deer or bear to a needy Tribal household for the purposes of consumption, if the animal is suitable for human consumption.

4. Nothing in this Section shall prevent a Tribal Warden from making evidentiary seizures of fish, wildlife, firearms or equipment.

Section 706. Seizure of Firearms

1. All firearms used, possessed or transported on Passamaquoddy Indian Territories by a person cited for violating the following provisions of the Ordinances may be considered contraband and may be subject to seizure by any Tribal Warden
 - A. Exceeding bag limit on moose, deer, wild turkey or bear;
 - B. Night hunting;
 - C. Closed season violation; or
 - D. Hunting, fishing or trapping without the necessary tribal license or permit.
2. Any Tribal Warden making a seizure of a firearm under this section shall within 5 days thereafter report such seizure to the senior Warden of the Reservation for which the Warden making the seizure works who at that time shall retain such firearm for safekeeping until final disposition of the offense. If the person from who the firearm was seized pleads guilty or is found guilty of the offense charged, the firearm shall be forfeited and become the property of the Passamaquoddy Indian Tribe, otherwise the firearm shall be returned to that person within 5 days thereafter.
3. Nothing in this Section shall prevent a Tribal Warden from making evidentiary seizures of fish, wildlife, firearms or equipment.

Section 707. Personal Recognizance

Any Tribal Warden may accept personal recognizance's incident to the issuance of a citation for any violation of these Ordinances or any violation of any State law which he is authorized to enforce, providing the place where the violation occurred is at least 25 miles from the nearest Court having jurisdiction and the authorized fine does not exceed \$1,000 per violation. The Tribal Warden shall report forthwith any recognizance received and forward such recognizance to the appropriate Court. Any moneys received by the Court for any convictions of a violation of these Ordinances shall be remitted to the Passamaquoddy Indian Tribe as established by agreement.

Section 708. Failure to Produce a License – Evidence

Failure to produce a license or permit within a reasonable time when requested by any Tribal Warden and while engaged in activity regulated by these Ordinances is prima facie evidence of a violation of Section 102, paragraph 1.

Section 709. Possession of Fishing Tackle Without License – Evidence

The possession of any fishing tackle in the fields, forests or on the waters or ice within Passamaquoddy Indian Territories by any person who does not possess the required fishing license duly issued to him, covering the period of time within which the fishing tackle is found in his possession, shall be prima facie evidence of fishing in violation of law, unless the person furnishes satisfactory evidence of the issuance of a valid fishing license.

Section 710. Possession of Firearms Without License – Evidence

Except for a validly licensed and carried concealed weapon, the possession of any firearm in the fields, forests or on the waters or ice within Passamaquoddy Indian Territories by any person who does not possess the required hunting license or permit duly issued to him, covering the period of time within which the firearm is found in his possession, shall be prima facie evidence of hunting in violation of law, unless the person furnishes satisfactory evidence of the issuance of a valid hunting license.

Section 711. Possession of Firearms on Sunday – Evidence

1. Possession of firearms in the fields, forests or on the waters or ice within Passamaquoddy Indian Territories or in a motor vehicle or other conveyance while being operated on an unpaved road in Passamaquoddy Indian Territories on Sunday is prima facie evidence of Sunday hunting, unless:
 - A. The firearm is carried, securely wrapped, in a complete cover;
 - B. The firearm is fastened in a case;
 - C. The firearm is carried in at least 2 separate pieces in such a manner that it cannot be fired, unless the separate pieces are joined together. For the purpose of this Section, a clip, magazine or cylinder of a firearm shall not be considered a piece of the firearm; or
 - D. Use of the firearm is authorized by a sustenance hunting permit.

Section 712. Possession of Firearms at Nighttime – Evidence

1. Possession of firearms in the fields, forests or on the waters or ice within Passamaquoddy Indian Territories or in a motor vehicle or other conveyance while being operated on an unpaved road in Passamaquoddy Indian Territories at any time between 1/2 hour after sunset and 1/2 hour before sunrise the following day is prima facie evidence of night hunting, unless:

- A. The firearm is carried, securely wrapped, in a complete cover;
- B. The firearm is fastened in a case;
- C. The firearm is carried in at least 2 separate pieces in such a manner that it cannot be fired, unless the separate pieces are joined together. For the purpose of this Section, a clip, magazine or cylinder of a firearm shall not be considered a piece of the firearm.

Section 713. Prohibited Acts

1. Failing to Comply with Special Permit Restriction / Limitation. It is unlawful for a person to fail to comply with any restriction, limitation, or special provision as specified on a Special Permit issued to him under the provisions of this Section 704.

CHAPTER 8. ANNUAL BEAR HUNT

Section 800. General Provisions

1. The taking of Bear on Passamaquoddy Indian Territories under special Permit shall:

- A. Be only during the open Special Bear Hunting season;
- B. Be only in designated areas;
- C. Be only with lawful hunting implements; and
- D. Be only by a person who possesses a valid Tribal Special Bear hunting permit.

2. Registration of Bear.

Any bear taken within the Passamaquoddy Indian Territories shall be registered by the person who killed the animal, within 18 hours, with the Passamaquoddy Warden Service or its designated agent for the purpose of inspection, tagging, and registration, except that:

- A. A person may keep a harvested animal in an official registration station for that animal or at the office of a game warden for more than 18 hours;
- B. A person may leave an unregistered animal harvested by that person in the woods if that person notifies a game warden within 18 hours as to the location of that animal and the circumstances necessitating leaving that animal in the woods; and
- C. A person on a hunting trip and staying at a temporary place of lodging may keep an unregistered harvested animal at the temporary place of lodging for no more than 7 days or until that person leaves the woods, whichever comes first.

3. Transportation of Bear.

Any bear taken within the Passamaquoddy Indian Territories shall be transported by the person who killed the animal and shall be transported in the following manner:

- A. The tag portion of the special Season Hunting Permit bearing the name and address of the person who killed the animal shall be securely attached to the animal;
- B. The person who killed the animal shall accompany it at all times while it is being moved or transported; and
- C. The animal shall be open to view at all times.

4. Tagging of Bear.

All bear taken within the Passamaquoddy Indian Territories shall be tagged in the following manner:

- A. Immediately upon killing the animal, the person who killed the animal shall detach the tag portion from his or her Special Bear permit and securely attach it to the killed animal so that it is plainly visible; and
- B. The tag shall bear the full name and address of the person who killed the animal.

5. Fee for Registering Bear.

There shall be a \$1 (one) Dollar fee charged to any individual for registering any bear taken under the Special Bear Hunting provisions.

6. Condition of Animal Presented for Registration.

The hunter must present the bear for registration in its entirety, except that:

- A. The viscera and rib cage of the bear may be removed in a manner that permits determination of the sex of the bear.

7. Baiting Bear.

Bait may be used for the taking of bear providing the following provisions are met:

- A. The bait shall be placed at least 50 yards from a travel way that is accessible by a conventional 2-wheel-drive or 4-wheel-drive automobile or truck;
- B. The stand, blind or bait area is plainly labeled with a 2 inch-by 4-inch tag with name and address of the baiter;
- C. The bait is placed more than 500 yards from a site permitted or licensed for the disposal of solid waste or a campground;
- D. The bait is placed more than 500 yards from an occupied dwelling unless written permission is granted by the owner or lessee;
- E. The bait is placed not more than 31 days before the opening day of the season and not after the last day of the Special Season;
- F. The bait areas will be cleaned up within 10 days following the last day of the special season, as defined by the state litter laws; and
- G. The person hunting from a stand or blind of another person has permission of the owner of that stand or blind.

Section 801. Special Bear Season Dates

To be set annually by Chief Warden Advanced Baiting allowed

To be set annually by Chief Warden Special Bear Season Open

Section 802. Season Bag Limit

1. The season bag limit for the taking of bear during the special season shall be as follows:

A. Bear (any sex) 1 per season per person

Section 803. Special Season Bear Hunting Permit

1. Eligibility: Passamaquoddy Tribal Hunting Permit Required

Any person is eligible for a valid permit to hunt for bear from the Passamaquoddy Warden Service or an authorized agent, providing that the person meets the Hunter Safety requirements as set forth in Section 100, paragraph 19, of the Passamaquoddy Hunting Ordinance.

2. Issuance: Permit Fee

The respective Governors and Council of the Passamaquoddy Reservations or their designated agents may issue a Special season permit for bear to an eligible person. The annual fee for each permit issued is \$300.00

3. General Hunting Ordinances

The holders of lawfully obtained permit must comply with the General Hunting Provisions as set forth in Chapter 2 of the Passamaquoddy Tribal Hunting Ordinances, except:

- a. Section 204 paragraph 8 (Sunday Hunting Allowed)
- b. Section 204 paragraph 31

4. Baiting Permit Fees

There shall be a fee of \$250.00 per bait site on Passamaquoddy Indian Territories.

Section 804. Hunting Guides

1. All Special Bear Season Permit holders may not hunt for bear unless they employ and hunt with a Registered Maine Guide or a Passamaquoddy Guide. (This section does not apply to Registered Maine Guides, or Passamaquoddy Guide.)
2. Non-Tribal Registered Maine Guides must employ Passamaquoddy Tribal Members as Guides or "Guide Helpers".
3. All Passamaquoddy Guides will be registered with the Chief Game Warden of the Passamaquoddy Warden Service. All applicants will need to meet a minimum standards established by the Chief Game Warden.

Section 805. Prohibited Acts Special Season

1. Hunting Bear after Having Killed One – A person may not hunt or trap bear after that person has killed or registered one during any open season.
2. Exceeding Bag Limit on Bears – A person may not possess more than one bear in any calendar year, except a person may keep more than one legally obtained bear in that person's home or as otherwise provided by law.
3. Permit Required – A person may not participate in hunting activities within Passamaquoddy Indian Territories without possessing a valid Special Season Permit.
4. Illegal Registration – it is unlawful for a person to fail to comply with the registration requirements for registering a bear as provided for in Section 800 paragraph 2.
5. Illegal Transportation – It is unlawful for a person to fail to comply with the transportation requirements when transporting a bear as provided for in Section 800 paragraph 3.
6. Illegal Tagging – It is unlawful for a person to fail to comply with the tagging requirements for tagging a bear as provided for in Section 800 paragraph 4.
7. False Registration of Bear – It is unlawful for a person to register any bear that he did not kill, or to allow another person to register a bear that he killed.
8. Failure to Register any Bear – It is unlawful for a person who kills any bear to fail to present the bear for registration in his name at the first open registration station on the route taken by him or her.
9. Failure to Register Whole Bear – It is unlawful for a person to fail to present for registration the whole bear as provided for under the provisions of Section 800 paragraph 2.
10. Illegal Registration of Bear – It is unlawful for a person who is hunting under a Special Season Bear Permit to present for registration or to register any bear taken outside the boundary lines which delineate the Passamaquoddy Indian Territories or outside of the designated hunting areas within the Passamaquoddy Indian Territories.
11. Illegal Baiting of Bear – It is unlawful for a person who is baiting for bear to fail to comply with the bear baiting provisions as set forth in Section 800 paragraph 7.
12. Illegal Hunting Outside of Designated Hunting Area – A person may not hunt outside of the designated hunting areas for their Special Season Bear Permit within Passamaquoddy Indian Territories.

13. Hunting Without a Guide – It is unlawful for a person to fail to comply with the Hunting Guide requirements when hunting under a Special Bear Season Permit as provided for in Section 804.

CHAPTER 9. REVENUE MOOSE PERMIT

Section 900. General Provisions

1. The taking of moose on Passamaquoddy Indian Territories under the Revenue Moose Permit shall:
 - A. Be only during the open moose hunting season;
 - B. Be only on Passamaquoddy Tribal Land excluding Indian Township and Pleasant Point Reservations;
 - C. Be only with lawful hunting implements; and
 - D. Be only by a person who possesses a valid revenue moose hunting permit or that persons designated subpermittee.
 - E. Be limited to 5 permits per reservation and 2 permits per reservation to benefit a chosen charity or charities for a total of 14 permits.
2. The transportation, tagging and registration of moose taken during the revenue moose hunt shall be in accordance with the provisions of Section 500, paragraphs 2 through 8.
3. Fee for Registering Moose.

There shall be a 1 (one) Dollar fee charged to any individual for registering any moose taken under the Revenue Moose Hunt.
4. Condition of Animal Presented for Registration.

The hunter must present the moose for registration in its entirety, except that:

 - A. The moose may be dismembered for ease of handling and transportation. The entire animal, except the viscera, shall be presented for registration in a manner that permits determination of the sex of the moose.
5. Dispersement of Harvested Revenue Moose.
 - A. All meat becomes property of the respective issuing reservation for stocking of the reservation's food pantry.
 - B. The antlers, head, cape and hide of the harvested moose may become the property of the revenue moose permit holder.
6. Revenue Created From the Selling of Revenue Moose permits.
 - A. The cost of processing for each moose taken during the Revenue Moose hunt will be deducted from the revenue created.
 - B. The revenue created from 4 permits (2 per reservation) will go directly to the reservation's chosen charities.

- C. All remaining moneys created by each reservation will be used at the respective Governor's and Council's discretion.

Section 901. Revenue Moose Hunt Season Dates

Moose, either sex September 1 through Sept. 30 (Archery Only)
Moose, bulls only October 1 thru the first Sunday in November
six inch minimum antlers

Section 902. Revenue Moose Hunt Season Bag Limit

1. The season bag limit for the taking of moose during the Revenue Moose Season shall be as follows:
 - A. Moose 1 per permit per season

Section 903. Revenue Moose Hunt Permit

1. Eligibility: Revenue Moose Hunt Permit Required
Any person is eligible for a Revenue Moose Hunt Permit, providing that the person meets the Hunter Safety requirements as set forth in Section 100, paragraph 19, of the Passamaquoddy Hunting Ordinance.
2. Issuance: Permit Fee
The respective Governors and Council of the Passamaquoddy Reservations or their designated agents may issue a Revenue Moose Permit to an eligible person. The annual fee for each permit will be determined by the respective Governors and Council.
3. General Hunting Ordinances
The holders of lawfully obtained permit must comply with the General Hunting Provisions as set forth in Chapter 2 of the Passamaquoddy Tribal Hunting Ordinances, except: a. Section 204 paragraph 8 (Sunday Hunting Allowed).

Section 904. Revenue Moose Hunting Guides

1. All Revenue Permit holders may not hunt for moose unless they employ and hunt with a Passamaquoddy Guide.
2. All Passamaquoddy Guides will be registered with the Chief Game Warden of the Passamaquoddy Warden Service. All applicants will need to meet a minimum standards established by the Chief Game Warden.

Section 905. Prohibited Acts of Revenue Moose Hunt

1. Hunting Moose after Having Killed One – A person may not hunt Moose after that person has killed or registered one with a Revenue Moose Permit during the season unless he/she holds an additional valid permit.
2. Exceeding Bag Limit on Moose – A person may not possess more than one Moose in any calendar year, except when holding additional valid permits.
3. Permit Required – A person may not participate in hunting activities within Passamaquoddy Indian Territories without possessing a valid Revenue Moose Permit unless they are a designated subpermittee.
4. Illegal Registration – it is unlawful for a person to fail to comply with the registration requirements for registering a moose as provided for in Section 900 paragraph 2.
5. Illegal Transportation – It is unlawful for a person to fail to comply with the transportation requirements when transporting a moose as provided for in Section 900 paragraph 2.
6. Illegal Tagging – It is unlawful for a person to fail to comply with the tagging requirements for tagging a moose as provided for in Section 900 paragraph 2.
7. False Registration of Moose – It is unlawful for a person to register any moose that he did not kill, or to allow another person to register a moose that he killed.
8. Failure to Register any Moose – It is unlawful for a person who kills any moose to fail to present the moose for registration in his name at the first open registration station on the route taken by him or her.
9. Failure to Register Whole Moose – It is unlawful for a person to fail to present for registration the whole moose as provided for under the provisions of Section 900 paragraph 4.
10. Illegal Registration of Moose – It is unlawful for a person who is hunting under a Revenue Moose Permit to present for registration or to register any moose taken outside the boundary lines which delineate the Passamaquoddy Indian Territories or outside of the designated hunting areas within the Passamaquoddy Indian Territories.
11. Hunting Without a Guide – It is unlawful for a person to fail to comply with the Hunting Guide requirements when hunting under a Revenue Moose Permit as provided for in Section 904.
12. Presence of Subpermittee – Moose Hunting. It is unlawful for a person who is hunting as a subpermittee under a Revenue Moose hunting permit issued for the taking of moose, to hunt moose except in the presence of the holder of such permit.

Passamaquoddy Tribal Game Wardens

Pleasant Point Reservation

P.O. Box 343

Perry, Maine 04667

Telephone 1-207-853-2551 (24 hr. dispatcher on duty)

Indian Township Reservation

P.O. Box 446

Princeton, Maine 04668

Telephone 1-207-796-2677 or 2301

*For inquiries and/or permits contact any Tribal Game Warden
at the above address and telephone numbers.*