

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 957

H.P. 693

House of Representatives, February 11, 1997

**An Act to Require Full Faith and Credit for Decisions of the Tribal Court.**

(EMERGENCY)

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MOORE of the Passamaquoddy Tribe.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6 **Whereas,** the credibility of the tribal courts of the  
Passamaquoddy Tribe and the Penobscot Nation is in danger by the  
lack of statutory directives ensuring the accordance of full  
8 faith and credit to their proceedings, findings, orders and  
decisions; and

10  
12 **Whereas,** failure to accord full faith and credit to the  
proceedings, findings, orders and decisions of the tribal courts  
results in delays in the recognition and protection of  
14 individuals and their rights; and

16 **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
18 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
20 safety; now, therefore,

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

24 **Sec. 1. 30 MRSA §6209-C is enacted to read:**

26 **§6209-C. Tribal court**

28 **1. Full faith and credit.** Proceedings, findings, orders  
and decisions of the tribal courts of the Passamaquoddy Tribe and  
30 the Penobscot Nation must be given full faith and credit  
throughout the State.

32  
34 **2. Contempt.** The tribal courts of the Passamaquoddy Tribe  
and the Penobscot Nation have the same contempt authority to  
punish violations of orders and subpoenas as do the state courts.

36  
38 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

40  
42 **SUMMARY**

44 This bill requires that the proceedings, findings, orders  
and decisions of the Passamaquoddy Tribal Court and the Penobscot  
Nation Tribal Court be given the same weight and force as  
46 proceedings, findings, orders and decisions of the courts of the  
State.