

# MAINE STATE LEGISLATURE

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(Governor's Bill)  
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 840**

H. P. 715

House of Representatives, February 12, 1981

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Pearson of Old Town.

Cosponsors: Representative Vose of Eastport, Representative Moholland of Princeton, Senator Brown of Washington.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**RESOLVE, Authorizing the Governor to Convey by Sale to the Passamaquoddy Tribe and Penobscot Nation the State's Interest in Certain Buildings now Located within the Indian Reservations.**

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**Governor to convey interest of the State in buildings to the Passamaquoddy Tribe and Penobscot Nation. Resolved:** That the Governor is authorized to convey to the Passamaquoddy Tribe the interest of the State of Maine in all buildings in which the State now has an interest and which are located within the boundaries of the original Passamaquoddy Indian Reservation established on September 19, 1794. The Governor is also authorized to convey to the Penobscot Nation the interest of the State in all buildings in which the State now has an interest and which are located within the boundaries of the Penobscot Indian Reservation as it existed on June 10, 1833. Any such conveyance shall be made by quitclaim deed. The Governor shall sell each building so conveyed for the sum of \$1.

By virtue of this resolve, the Legislature means and intends to allow the conveyance of those state buildings, including all school buildings formerly owned by the Department of Educational and Cultural Services, and all buildings formerly used by the Department of Indian Affairs, and all buildings

formerly used by the Department of Conservation, which are located on land that was once within the Passamaquoddy and Penobscot Reservations.

#### STATEMENT OF FACT

The purpose of this resolve is to convey to the Passamaquoddy Tribe and Penobscot Nation the state's interest in any state-owned buildings on land that was once within the boundaries of the tribal reservations. Although the settlement of the land claims vest clear title in these buildings in the State inasmuch as the land on which they are located was transferred to the State prior to the effective date of Public Law, 1979, chapter 732, since the State no longer has any use for these buildings, the transfer of title contemplated by this resolve will help to further simplify and clarify ownership of lands and buildings on the Indian reservations. The tribes will now be independent "municipal" entities and be in a better position to use the buildings than is the State. The tribes will be responsible for operation of the schools and should have ownership and control of the school buildings. The Department of Indian Affairs has been abolished as part of the settlement and any buildings formerly used by that department are of no current value to the State. The Bureau of Forestry ceased any use of its buildings on Indian Township several years ago.