

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1755

6
7 S.P. 600

In Senate, June 10, 1983

8 Reported by Senator Collins of Knox from the Committee on Judiciary
9 pursuant to Joint Order (S.P. 594) and printed under Joint Rule 2.

10 JOY J. O'BRIEN, Secretary of the Senate

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to the Manner of
18 Approval of Amendments to the Maine
19 Indian Claims Settlement Act.
20

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

23 Sec. 1. 3 MRSA c. 27 is enacted to read:

24 CHAPTER 27

25 APPROVAL OF AMENDMENTS TO THE MAINE INDIAN CLAIMS

26 SETTLEMENT ACT

27 §601. Approval of legislation

28 When approval of legislation by an Indian tribe
29 or Indian nation is required by the United States
30 Code, Title 25, Section 1725(e), certification of
31 that approval shall be made to the Secretary of State

1 by the officer of the affected Indian tribe or Indian
2 nation designated in section 602. The certification
3 shall state the date and manner of approval of the
4 legislation and shall be prima facie evidence of
5 approval. The Secretary of State shall forthwith
6 transmit certified copies of the certification of
7 approval to the Secretary of the Senate and the Clerk
8 of the House of Representatives.

9 §602. Designation of officer

10 The governor and council of the Penobscot Nation,
11 and the Joint Tribal Council of the Passamaquoddy
12 Tribe shall each designate, by name and title, the
13 officer authorized to execute the certificate of
14 approval of legislation required by section 601. The
15 designation shall be in writing and filed with the
16 Secretary of State no later than the first Wednesday
17 in January in the First Regular Session of the Legis-
18 lature. The Secretary of State shall forthwith
19 transmit certified copies of each designation to the
20 Secretary of the Senate and the Clerk of the House of
21 Representatives. The designation shall remain in
22 effect until the governor and council of the
23 Penobscot Nation or the Joint Tribal Council of the
24 Passamaquoddy Tribe make a new designation.

25 **Sec. 2. Effective date.** This Act shall not be
26 effective unless, within 60 days of the adjournment
27 of the Legislature, the Secretary of State receives
28 written certification by the Joint Tribal Council of
29 Passamaquoddy Tribe and the governor and council of
30 the Penobscot Nation that the respective tribe and
31 nation have agreed to the provisions of this Act pur-
32 suant to the United States Code, Title 25, Section
33 1725(e) (1), copies of which shall be submitted by
34 the Secretary of State to the Secretary of the Senate
35 and the Clerk of the House of Representatives; pro-
36 vided that in no event may this Act become effective
37 until 90 days after adjournment of the Legislature.

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STATEMENT OF FACT

This bill sets out the procedure to be followed by the Penobscot Nation and Passamaquoddy Tribe in giving their approval to legislation which amends the Maine Indian Claims Settlement Act.

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