

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 517

6
7 H.P. 376

House of Representatives, February 12, 1985

8 Reference to the Committee on Judiciary suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Racine of Biddeford.

Cosponsored by Representative Murphy of Kennebunk, Representative Greenlaw of Standish and Senator Najarian of Cumberland.

11
12 STATE OF MAINE
13

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

17 AN ACT Concerning "Beano" or "Bingo" on
18 Indian Reservations.
19

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

22 Sec. 1. 30 MRSA §6206, sub-§1, as enacted by PL
23 1979, c. 732, §§1 and 31, is amended to read:

24 1. General Powers. Except as otherwise provided
25 in this Act, the Passamaquoddy Tribe and the
26 Penobscot Nation, within their respective Indian ter-
27 ritories, shall have, exercise and enjoy all the
28 rights, privileges, powers and immunities, including,
29 but without limitation, the power to enact ordinances
30 and collect taxes, and shall be subject to all the
31 duties, obligations, liabilities and limitations of a
32 municipality of and subject to the laws of the State,
33 provided, however, that internal tribal matters, in-
34 cluding, but without limitation, membership in the
35 respective tribe or nation, the right to reside with-
36 in the respective Indian territories, tribal organi-

1 zation, tribal government, tribal elections and the
2 use or disposition of settlement fund income and con-
3 ducting the game known as "Beano" or "Bingo" for the
4 purpose of raising revenue for tribal services shall
5 not be subject to regulation by the State. The
6 Passamaquoddy Tribe and the Penobscot Nation shall
7 designate such officers and officials as are neces-
8 sary to implement and administer those laws of the
9 State applicable to the respective Indian territories
10 and the residents thereof. Any resident of the
11 Passamaquoddy Indian territory or the Penobscot Indi-
12 an territory who is not a member of the respective
13 tribe or nation nonetheless shall be equally entitled
14 to receive any municipal or governmental services
15 provided by the respective tribe or nation or by the
16 State, except those services which are provided ex-
17 clusively to members of the respective tribe or na-
18 tion pursuant to state or federal law, and shall be
19 entitled to vote in national, state and county elec-
20 tions in the same manner as any tribal member resid-
21 ing within Indian territory.

22 Sec. 2. Effective date. This Act shall not be
23 effective unless, within 60 days of the adjournment
24 of the Legislature, the Secretary of State receives
25 written certification by the governor and council of
26 the Penobscot Nation that the nation has agreed to
27 the provisions of this Act pursuant to the United
28 States Code, Title 25, Section 1725(e)(1), copies of
29 which shall be submitted by the Secretary of State,
30 Secretary of the Senate and the Clerk of the House of
31 Representatives, provided that in no event shall this
32 Act become effective until 90 days after adjournment
33 of the Legislature.

34 STATEMENT OF FACT

35 This bill amends the Implementing Act to provide
36 that Indian Tribal Governments could continue to con-
37 duct Beano games to raise revenue for municipal and
38 tribal purposes as they have been doing for many
39 years, until the recent State Supreme Court decision.

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