

# MAINE STATE LEGISLATURE

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L.D. 1717

(Filing No. S-500)

STATE OF MAINE  
SENATE  
112TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT " B" to H.P. 1210, L.D. 1717,  
Bill, "AN ACT Relating to the Passamaquoddy Indian  
Reservation."

Amend the Bill by inserting at the beginning of  
the first line after the enacting clause (page 1,  
line 22 in L.D.) the following: 'Sec. 1.'

Further amend the Bill in subsection 5 by insert-  
ing at the end after the underlined symbol and figure  
"\$350,000" the following: ', provided that the con-  
sent of the Town of Perry would be voided unless the  
payment of the \$350,000 is made within 120 days of  
the effective date of this section. Any commercial  
development of those lands must be by approval of the  
voters of the Town of Perry with the exception of  
land development currently in the building stages.'

Further amend the bill by inserting at the end  
before the statement of fact the following:

'Sec. 2. 30 MRSA §6205, sub-§1, ¶B, as amended  
by PL 1983, c. 660, §§1 and 2, is further amended to  
read:

B. The first 150,000 acres of land acquired by  
the secretary for the benefit of the  
Passamaquoddy Tribe from the following areas of  
lands to the extent that those lands are acquired  
by the secretary prior to January 17, 1986 April  
1, 1988, are not held in common with any other  
person or entity and are certified by the secre-  
tary by January 17, 1986 April 1, 1988, as held  
for the benefit of the Passamaquoddy Tribe:

The lands of Great Northern Nekoosa Corporation  
located in T.1, R.8, W.B.K.P. (Lowelltown), T.6,

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1 R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and  
2 T.2, R.9, W.E.L.S.; the land of Raymidga Company  
3 located in T.1, R.5, W.B.K.P. (Jim Pond), T.4,  
4 R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6,  
5 B.K.P.W.K.R. and T.3, R.5, B.K.P.W.K.R.; the land  
6 of the heirs of David Pingree located in T.6,  
7 R.8, W.E.L.S.; any portion of Sugar Island in  
8 Moosehead Lake; the lands of Prentiss and Car-  
9 lisle Company located in T.9, S.D.; any portion  
10 of T.24, M.D.B.P.P.; the lands of Bertram C.  
11 Tackeff or Northeastern Blueberry Company, Inc.  
12 in T.19, M.D.B.P.P.; any portion of T.2, R.8,  
13 N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder  
14 Stream); the lands of Dead River Company in T.3,  
15 R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1, N.B.P.P.  
16 and T.5, N.D.B.P.P.; any portion of T.3, R.1,  
17 N.B.P.P.; any portion of T.3, N.D.; any portion  
18 of T.4, N.D.; any portion of T.39, M.D.; any por-  
19 tion of T.40, M.D.; any portion of T.41, M.D.;  
20 any portion of T.42, M.D.B.P.P.; and the lands of  
21 Diamond International Corporation, International  
22 Paper Company and Lincoln Pulp and Paper Company  
23 located in Argyle; and the lands of the Dyer In-  
24 terests in T.A.R.7 W.E.L.S., T.3 R.9 N.W.P., T.3  
25 R.3, N.B.K.P. (Alder Brook Township), T.3 R.4  
26 N.B.K.P. (Hammond Township), T.2 R.4 N.B.K.P.  
27 (Pittston Academy Grant), T.2 R.3 N.B.K.P.  
28 (Soldiertown Township), and T.4 R.4 N.B.K.P.  
29 (Prentiss Township).

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STATEMENT OF FACT

2           Section 1 of the amendment adds language re-  
3           quested by the Town of Perry. This language insures  
4           payment within 120 days and requires that the tribe  
5           receive approval from the voters of the Town of Perry  
6           for commercial development not yet in the building  
7           stages.

8           Section 2 of the amendment describes an addition-  
9           al land trust purchase initiated after the printing  
10          of the original legislative document and adds certain  
11          parcels in the unorganized territories to the list of  
12          areas designated as eligible for inclusion in  
13          Passamaquoddy Indian Territory in the Maine Revised  
14          Statutes, Title 30, section 6205, subsection 1, para-  
15          graph B. The tribe is in the process of purchasing  
16          these lands in a "package," together with 4,124 acres  
17          in T.3. N.D., which is currently eligible for inclu-  
18          sion in Passamaquoddy Indian Territory.

19          The 4,124 acres in T.3. N.D. are part of the Bot-  
20          tle Lake Complex, the proposed high-level nuclear  
21          waste repository site. An increase in the portion of  
22          the site held in trust for the tribe is the best  
23          strategy for preventing its final designation as a  
24          potentially acceptable site. The United States De-  
25          partment of Energy may not, as a practical matter,  
26          obtain use of trust land for its site studies, and  
27          can only proceed with the Bottle Lake site if the  
28          nontrust portion of the site is adequate for its  
29          needs. Roughly 27% of the site is presently held in  
30          trust. This acquisition will increase that portion  
31          to roughly 34% of the total site. More significant-  
32          ly, it reduces the contiguous area of land available  
33          for the site to less than 1/2 of the originally de-  
34          fined site. See attached maps. Since Bottle Lake  
35          was already one of the 2 smallest potential sites and  
36          will become by far the smallest with this reduction,  
37          it is likely that this is important to blocking the  
38          United States Department of Energy selection of Bot-

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1 tle Lake.

2 While the parcel of land within the Bottle Lake  
3 complex is already trust-designated land and does not  
4 need legislative approval, the other 4 parcels do not  
5 lie within the currently-designated land and there-  
6 fore require legislative as well as Tribal-State Com-  
7 mission recommendation.

8 The remaining parcels are near or adjoining ex-  
9 isting trust lands and will not result in any in-  
10 creased dispersal of tribal ownership. The lands  
11 have been offered to the tribe as a single purchase,  
12 and the tribe is therefore concerned about the inclu-  
13 sion of the other parcels in Indian territory.

14 The attached maps show the location of these pro-  
15 posed purchases; map 1 shows the parcel within the  
16 Bottle Lake Area; map 2 shows the other 4 parcels.

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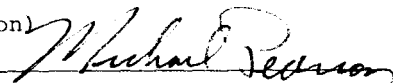
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(Sen. Pearson)

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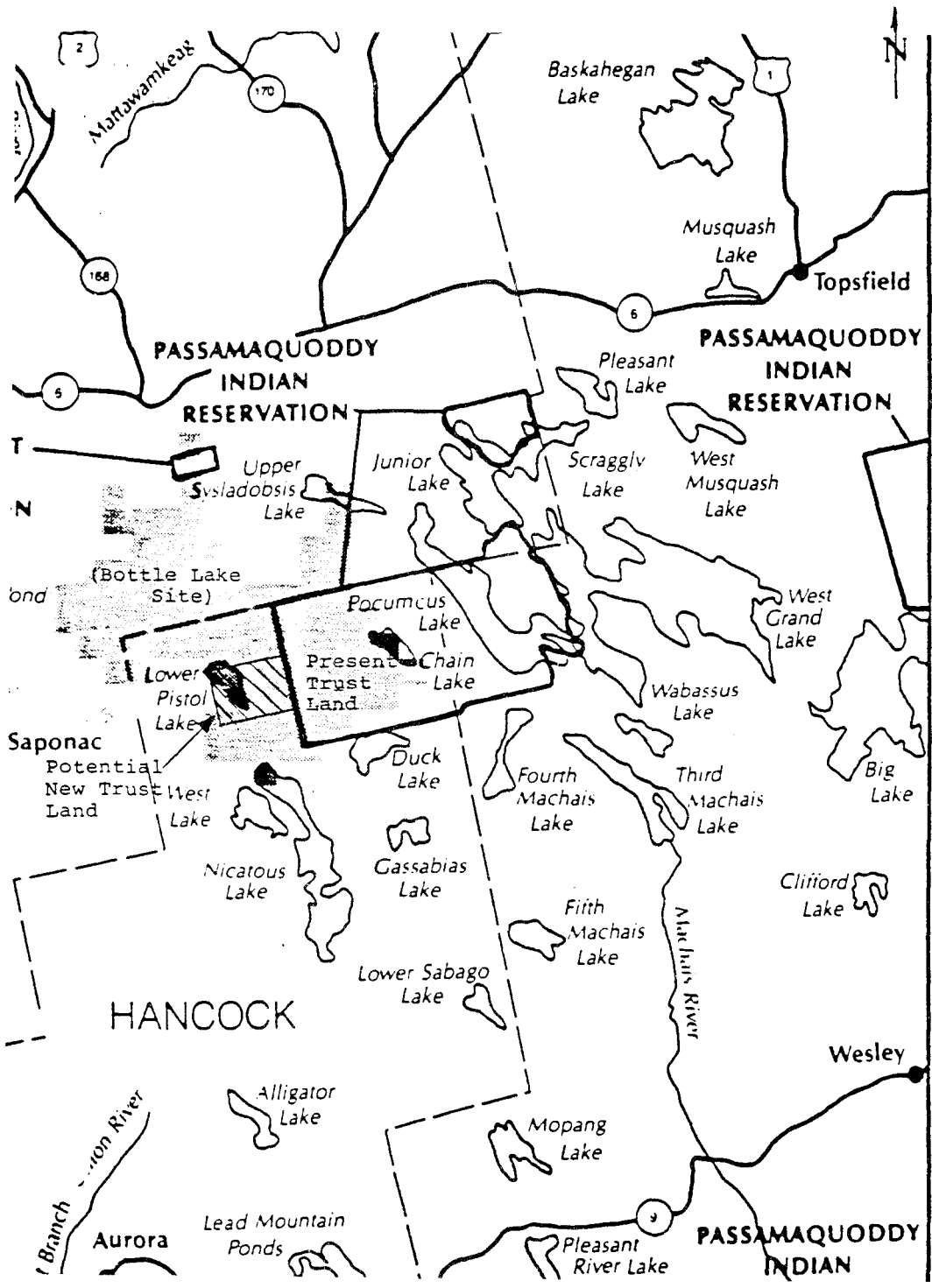


COUNTY: Penobscot

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MAP 1

