

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 286

S.P. 113

In Senate, February 9, 1987

Reference to the Committee on Judiciary suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator PEARSON of Penobscot.
Cosponsored by Representative Cashman of Old Town

STATE OF MAINE

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

AN ACT Concerning Future Indian Communities.

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

Sec. 1. 30 MRSa §6209, sub-§5, as enacted by PL 1979, c. 732, §§1 and 31, is amended to read:

5. Future Indian communities. Any 25 or more adult members of either the The Passamaquoddy Tribe or the Penobscot Nation residing within their respective Indian territory and in reasonable proximity to each other may petition the commission for designatien any portion of their respective Indian territory to be designated as an "extended reservation." If the commission determines, after investigation, that the petitioning tribal members constitute an "extended reservation" petition be granted, the

1 commission shall establish the boundaries of this
2 "extended reservation" and shall recommend to the
3 Legislature that, subject to the approval of the gov-
4 erning body of the tribe or nation involved, it amend
5 this Act to extend the jurisdiction of the respective
6 tribe or nation to the "extended reservation." The
7 boundaries of any "extended reservation" shall not
8 exceed those reasonably necessary to encompass the
9 petitioning tribal members.

10 Sec. 2. Effective date. This Act shall not be
11 effective unless, within 60 days of the adjournment
12 of the Legislature, the Secretary of State receives
13 written certification by the Governor and Council of
14 the Penobscot Nation that the nation has agreed to
15 the provisions of this Act pursuant to the United
16 States Code, Title 25, Section 1725(e) (1), copies of
17 which shall be submitted by the Secretary of State
18 and the Secretary of the Senate and the Clerk of the
19 House of Representatives, provided that in no event
20 shall this Act become effective until 90 days after
21 adjournment of the Legislature.

22 STATEMENT OF FACT

23 The purpose of this bill is to remove the re-
24 quirement that 25 tribal members must live within
25 trust lands before a petition for an extended reser-
26 vation can be presented to the Maine Indian
27 Tribal-State Commission.

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