

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2001

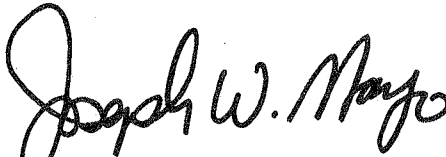
H.P. 1437

House of Representatives, January 14, 1998

**An Act to Amend the Maine Indian Claims Settlement Act Regarding
Education Funding.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MOORE of the Passamaquoddy Tribe.

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

4 **Sec. 1. 30 MRSA §6211, sub-§2,** as amended by PL 1991, c. 705,
§1 and affected by §§4 and 5, is further amended to read:

6 **2. Limitation on eligibility.** In computing the extent to
7 which either the Passamaquoddy Tribe or the Penobscot Nation is
8 entitled to receive state funds under subsection 1, other than
9 funds in support of education, any money received by the
10 respective tribe or nation from the United States within
11 substantially the same period for which state funds are provided,
12 for a program or purpose substantially similar to that funded by
13 the State, and in excess of any local share ordinarily required
14 by state law as a condition of state funding, must be deducted in
15 computing any payment to be made to the respective tribe or
16 nation by the State. Unless otherwise provided by federal law,
17 in computing the extent to which either the Passamaquoddy Tribe
18 or the Penobscot Nation is entitled to receive state funds for
19 education under subsection 1, the state payment must be reduced
20 by 15% of the amount of federal funds for school operations
21 received by the respective tribe or nation within substantially
22 the same period for which state funds are provided, and in excess
23 of any local share ordinarily required by state law as a
24 condition of state funding. A reduction in state funding for
25 secondary education may not be made under this section except as
26 a result of federal funds received within substantially the same
27 period and allocated or allocable to secondary education. ~~This
28 subsection is repealed June 30, 1998.~~

30 **Sec. 2. 30 MRSA §6211, sub-§2-A,** as enacted by PL 1991, c.
31 705, §2 and affected by §5, is repealed.

32 **Sec. 3. Effective date.** This Act does not take effect unless,
33 within 60 days after adjournment of the Legislature, the
34 Secretary of State receives written notification by the Joint
35 Tribal Council of the Passamaquoddy Tribe and by the Tribal Chief
36 and council of the Penobscot Nation that the tribe and nation
37 have agreed to the provisions of this Act pursuant to 25 United
38 States Code, section 1725(e)(1), copies of which must be
39 submitted by the Secretary of State to the Secretary of the
40 Senate and the Clerk of the House of Representatives. In no
41 event may this Act become effective until 90 days after
42 adjournment of the Legislature.
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48 **SUMMARY**

49 This bill continues an educational funding provision that
50 enables schools operated by the Passamaquoddy Tribe and the

2 Penobscot Nation to obtain significant additional federal
funding. This funding reduces state general purpose aid to those
4 schools that was initially enacted for a 6-year period. A report
from the Department of Education filed with the Joint Standing
6 Committee on Education and Cultural Affairs showed average annual
savings in general purpose aid of nearly \$750,000, while the
tribal schools also benefitted from additional federal funding.

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