

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 869

H.P. 620

House of Representatives, February 16, 2005

An Act To Extend Recognition to the Metis People

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BOWEN of Rockport. (BY REQUEST)
Cosponsored by Senator SAVAGE of Knox.

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

4 **Sec. 1. 30 MRSA c. 605** is enacted to read:

6 **CHAPTER 605**

8 **METIS RECOGNITION ACT**

10 **§8101. Short title**

12 This chapter is known and may be cited as "the Metis Recognition Act."

14 **§8102. Definitions**

16 As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

18 **1. Distinct from other aboriginal peoples.** "Distinct from other aboriginal peoples" means distinct for cultural and nationhood purposes.

22 **2. Historic Metis Nation.** "Historic Metis Nation" means the aboriginal people then known as Metis who resided in the historic Metis Nation homeland.

24 **3. Historic Metis Nation homeland.** "Historic Metis Nation homeland" means the area of land in west central North America used and occupied as the traditional territory of the Metis.

26 **4. Laws of the State.** "Laws of the State" means the Constitution and all statutes, rules or regulations and the common law of the State and its political subdivisions and judicial interpretations thereof.

30 **5. Metis.** "Metis" means a person who self-identifies as Metis, is of historic Metis Nation ancestry, and is accepted by the Metis Nation or the Metis Nation in New England.

32 **6. Metis Nation.** "Metis Nation" means the people descended from the historic Metis nation and who are included within the definition of "aboriginal peoples of Canada" within section 35 of the Constitution Act of 1982 of Canada.

34 **§8103. Recognition**

36 The State hereby recognizes and extends State recognition to the Metis people as a distinct category of Native Americans.

38 **§8104. Laws of the State**

2 A person who is Metis in the State and any lands or other
4 natural resources owned by such a person or group of such
6 persons, held in trust by the United States or by any other
8 person or entity, are subject to the laws of the State and to the
civil and criminal jurisdiction of the courts of the State to the
same extent as any other person or lands or other natural
resources therein.

10 **§8105. Powers of Metis**

12 This Act does not extend to the Metis people the powers,
14 privileges and immunities of a municipality nor authorize the
16 Metis People to exercise civil or criminal jurisdiction within
the lands they may own prior to the enactment of additional
legislation specifically authorizing the exercise of those
governmental powers.

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SUMMARY

22 This bill provides state recognition for the Metis people,
24 recognized in Canada as one of the aboriginal peoples. This bill
26 is similar to Canadian law recognizing the Metis people. This
bill does not provide the powers, privileges and immunities of a
municipality or authorize the exercise of criminal or civil
jurisdiction by the Metis people.