

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 169

H.P. 151

House of Representatives, January 16, 2007

An Act To Place Land in Township 21 in Trust

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Senator RAYE of Washington and
Representatives: LORING of the Penobscot Nation, McFADDEN of Dennysville, PERRY of
Calais, TIBBETTS of Columbia.

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

2 **Sec. 1. 30 MRSA §6205, sub-§1, ¶C**, as amended by PL 2001, c. 251, §2 and
3 affected by §4, is further amended to read:

4 C. Any land not exceeding 100 acres in the City of Calais acquired by the secretary
5 for the benefit of the Passamaquoddy Tribe as long as the land is acquired by the
6 secretary prior to January 1, 2001, is not held in common with any other person or
7 entity and is certified by the secretary by January 31, 2001, as held for the benefit of
8 the Passamaquoddy Tribe, if:

9 (1) The acquisition of the land by the tribe is approved by the legislative body of
10 that city; and

11 (2) A tribal-state compact under the federal Indian Gaming Regulatory Act is
12 agreed to by the State and the Passamaquoddy Tribe or the State is ordered by a
13 court to negotiate such a compact; ~~and~~

14 **Sec. 2. 30 MRSA §6205, sub-§1, ¶D**, as enacted by PL 2001, c. 251, §3 and
15 affected by §4, is amended to read:

16 D. All land acquired by the secretary for the benefit of the Passamaquoddy Tribe in
17 T. 19, M.D. to the extent that the land is acquired by the secretary prior to January 31,
18 2020, is not held in common with any other person or entity and is certified by the
19 secretary by January 31, 2020 as held for the benefit of the Passamaquoddy Tribe;
20 and

21 **Sec. 3. 30 MRSA §6205, sub-§1, ¶E** is enacted to read:

22 E. All land acquired by the secretary for the benefit of the Passamaquoddy Tribe in
23 Township 21 to the extent that the land is acquired by the secretary prior to January
24 31, 2017, is not held in common with any other person or entity and is certified by the
25 secretary by January 31, 2017 as held for the benefit of the Passamaquoddy Tribe.

26 **Sec. 4. Effective date; certification.** This Act does not take effect unless, within
27 60 days of the adjournment of the Legislature, the Secretary of State receives written
28 certification by the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has
29 agreed to the provisions of this Act pursuant to 25 United States Code, Section 1725(e),
30 copies of which must be submitted by the Secretary of State to the Secretary of the
31 Senate, the Clerk of the House of Representatives and the Revisor of Statutes, except that
32 in no event may this Act become effective until 90 days after the adjournment of the
33 Legislature.

34 **SUMMARY**

35 This bill amends the Act to Implement the Maine Indian Claims Settlement
36 concerning the trust lands of the Passamaquoddy Tribe. The Secretary of the Interior of
37 the United States has until January 31, 2017 to acquire and place in trust on behalf of the
38 Passamaquoddy Tribe all land acquired in Township 21. If that deadline is met, the
39 acquired land becomes part of the trust lands of the Passamaquoddy Tribe.