

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 796

H.P. 545

House of Representatives, March 2, 2009

**An Act To Direct Fines Collected on Tribal Lands to the
Passamaquoddy Tribe and the Penobscot Nation**

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 Representative MITCHELL of the Penobscot Nation, Senator RAYE of
Washington and Representatives: EATON of Sullivan, JOY of Crystal, PERRY of Calais.

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

2 **Sec. 1. 30 MRSA §6210, sub-§5** is enacted to read:

3 **5. Penalties and fines.** All civil penalties or fines or criminal fines imposed for a
4 violation of any tribal or state law within the Indian territory of the Passamaquoddy Tribe
5 or the Penobscot Nation must be remitted to the Passamaquoddy Tribe or the Penobscot
6 Nation, respectively. This subsection does not apply to a civil penalty or fine or a
7 criminal fine imposed for a violation of any tribal or state law within the Indian territory
8 of the Passamaquoddy Tribe or the Penobscot Nation by a state court.

9 **Sec. 2. Effective date.** This Act does not take effect unless, within 60 days after
10 the adjournment of the Legislature, the Secretary of State receives written notification by
11 the Joint Tribal Council of the Passamaquoddy Tribe and the Tribal Chief and the
12 Council of the Penobscot Nation that the tribe and nation have agreed to the provisions of
13 this Act pursuant to 25 United States Code, Section 1725(e), copies of which must be
14 submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House
15 of Representatives and the Revisor of Statutes, except that in no event may this Act take
16 effect until 90 days after adjournment of the Legislature.

17 **SUMMARY**

18 This bill provides that any civil penalties or fines or criminal fines imposed for a
19 violation of any tribal or state law within the Indian territory of the Passamaquoddy Tribe
20 or the Penobscot Nation must be remitted to the Passamaquoddy Tribe or the Penobscot
21 Nation, respectively. This provision does not apply to a civil penalty or fine or a criminal
22 fine imposed for a violation of any tribal or state law within the Indian territory of the
23 Passamaquoddy Tribe or the Penobscot Nation by a state court.