

# MAINE STATE LEGISLATURE

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8/14/17  
ROFS

L.D. 921

Date: 6/14/17

(Filing No. H-513)

JUDICIARY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 649, L.D. 921, Bill, "An Act To Remove Time and Acreage Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement"

Amend the bill by striking out the title and substituting the following:

**'An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement'**

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

**'Sec. 1. 30 MRSA §6205, sub-§1**, as amended by PL 2013, c. 91, §§1 and 2 and affected by §3, is further amended to read:

**1. Passamaquoddy Indian territory.** Subject to subsections 3, 4 and 5, the following lands within the State are known as the "Passamaquoddy Indian territory:"

A. The Passamaquoddy Indian Reservation;

B. The first 150,000 acres of land acquired by the secretary for the benefit of the Passamaquoddy Tribe from the following areas or lands to the extent that those lands are acquired by the secretary prior to January 31, ~~1994~~ 2025, are not held in common with any other person or entity and are certified by the secretary by January 31, ~~1994~~ 2025, as held for the benefit of the Passamaquoddy Tribe:

The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P. (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9, W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond), T.4, R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5, B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.; any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any portion of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the lands of Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1,

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N.B.P.P. and T.5, N.D.B.P.P.; any portion of T.3, R.1, N.B.P.P.; any portion of T.3, N.D.; any portion of T.4, N.D.; any portion of T.39, M.D.; any portion of T.40, M.D.; any portion of T.41, M.D.; any portion of T.42, M.D.B.P.P.; the lands of Diamond International Corporation, International Paper Company and Lincoln Pulp and Paper Company located in Argyle; and the lands of the Dyer Interests in T.A.R.7 W.E.L.S., T.3 R.9 N.W.P., T.3 R.3, N.B.K.P. (Alder Brook Township), T.3 R.4 N.B.K.P. (Hammond Township), T.2 R.4 N.B.K.P. (Pittston Academy Grant), T.2 R.3 N.B.K.P. (Soldiertown Township), and T.4 R.4 N.B.K.P. (Prentiss Township), and any lands in Albany Township acquired by the Passamaquoddy Tribe before January 31, ~~1994~~ 2025;

C. Any land not exceeding 100 acres in the City of Calais acquired by the secretary for the benefit of the Passamaquoddy Tribe as long as the land is acquired by the secretary prior to January 31, ~~2004~~ 2025, is not held in common with any other person or entity and is certified by the secretary by January 31, ~~2004~~ 2025, as held for the benefit of the Passamaquoddy Tribe, if:

- (1) The acquisition of the land by the tribe is approved by the legislative body of that city; and
- (2) A tribal-state compact under the federal Indian Gaming Regulatory Act is agreed to by the State and the Passamaquoddy Tribe or the State is ordered by a court to negotiate such a compact;

D. All land acquired by the secretary for the benefit of the Passamaquoddy Tribe in T. 19, M.D. to the extent that the land is acquired by the secretary prior to January 31, ~~2020~~ 2025, is not held in common with any other person or entity and is certified by the secretary by January 31, ~~2020~~ 2025 as held for the benefit of the Passamaquoddy Tribe;

D-1. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Centerville consisting of Parcels A, B and C conveyed by Bertram C. Tackeff to the Passamaquoddy Tribe by quitclaim deed dated July 27, 1981, recorded in the Washington County Registry of Deeds in Book 1147, Page 251, to the extent that the land is acquired by the secretary prior to January 31, ~~2017~~ 2025, is not held in common with any other person or entity and is certified by the secretary by January 31, ~~2017~~ 2025 as held for the benefit of the Passamaquoddy Tribe;

D-2. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Centerville conveyed by Bertram C. Tackeff to the Passamaquoddy Tribe by quitclaim deed dated May 4, 1982, recorded in the Washington County Registry of Deeds in Book 1178, Page 35, to the extent that the land is acquired by the secretary prior to January 31, ~~2023~~ 2025, is not held in common with any other person or entity and is certified by the secretary by January 31, ~~2023~~ 2025 as held for the benefit of the Passamaquoddy Tribe; and

E. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Township 21 consisting of Gordon Island in Big Lake, conveyed by Domtar Maine Corporation to the Passamaquoddy Tribe by corporate quitclaim deed dated April 30, 2002, recorded in the Washington County Registry of Deeds in Book 2624, Page 301, to the extent that the land is acquired by the secretary prior to January 31, ~~2017~~ 2025,

# COMMITTEE AMENDMENT

R.O.F.S.

1 is not held in common with any other person or entity and is certified by the secretary  
2 by January 31, ~~2017~~ 2025 as held for the benefit of the Passamaquoddy Tribe.

3 **Sec. 2. 30 MRSA §6205, sub-§2, ¶B**, as amended by PL 1999, c. 625, §1, is  
4 further amended to read:

5 B. The first 150,000 acres of land acquired by the secretary for the benefit of the  
6 Penobscot Nation from the following areas or lands to the extent that those lands are  
7 acquired by the secretary prior to January 31, ~~2021~~ 2025, are not held in common  
8 with any other person or entity and are certified by the secretary by January 31, ~~2021~~  
9 2025, as held for the Penobscot Nation:

10 The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P.  
11 (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9,  
12 W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond),  
13 T.4, R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5,  
14 B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.;  
15 any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle  
16 Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram  
17 C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any  
18 portion of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the  
19 lands of Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1,  
20 N.B.P.P. and T.5, N.D.B.P.P.; any portion of T.3, R.1, N.B.P.P.; any portion of T.3,  
21 N.D.; any portion of T.4, N.D.; any portion of T.39, M.D.; any portion of T.40, M.D.;  
22 any portion of T.41, M.D.; any portion of T.42, M.D.B.P.P.; the lands of Diamond  
23 International Corporation, International Paper Company and Lincoln Pulp and Paper  
24 Company located in Argyle; any land acquired in Williamsburg T.6, R.8, N.W.P.;  
25 any 300 acres in Old Town mutually agreed upon by the City of Old Town and the  
26 Penobscot Nation Tribal Government, provided that the mutual agreement must be  
27 finalized prior to ~~August~~ January 31, ~~1991~~ 2025; any lands in Lakeville acquired by  
28 the Penobscot Nation before January ~~1~~ 31, ~~1991~~ 2025; and all the property acquired  
29 by the Penobscot Indian Nation from Herbert C. Haynes, Jr., Herbert C. Haynes, Inc.  
30 and Five Islands Land Corporation located in Township 1, Range 6 W.E.L.S.'

31 **SUMMARY**

32 The bill repeals both acreage limits and time limits applicable to the acquisition and  
33 certification of trust lands under the Act to Implement the Maine Indian Claims  
34 Settlement for the Passamaquoddy Tribe and the Penobscot Nation. This amendment  
35 extends all time limits for both the Passamaquoddy Tribe and the Penobscot Nation to  
36 add to their respective trust lands to January 31, 2025. This amendment retains the  
37 acreage limits.

38 The effective date and certification provisions of the bill are retained. Because this  
39 bill amends the Act to Implement the Maine Indian Claims Settlement, this bill does not  
40 take effect unless the Joint Tribal Council of the Passamaquoddy Tribe and the Tribal  
41 Chief and Council of the Penobscot Nation agree to these changes and certify their

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COMMITTEE AMENDMENT "A" to H.P. 649, L.D. 921

1 agreement to the Secretary of State within 60 days of the adjournment of the First  
2 Regular Session of the 128th Legislature.

3 **FISCAL NOTE REQUIRED**

4 (See attached)

**COMMITTEE AMENDMENT**



# 128th MAINE LEGISLATURE

LD 921

LR 2062(02)

An Act To Remove Time and Acreage Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-513)

Committee: Judiciary

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with receiving and processing a certification of agreement between the Joint Tribal Council of the Passamaquoddy Tribe and the Tribal Chief and Council of the Penobscot Nation can be absorbed within existing budgeted resources.