

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 921

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H.P. 649

House of Representatives, March 7, 2017

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

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative DANA of the Passamaquoddy Tribe.  
Cosponsored by Senator MAKER of Washington.

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

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

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

6 A. The Passamaquoddy Indian Reservation;

7 B. ~~The first 150,000 acres of land~~ Land acquired by the secretary for the benefit of  
8 the Passamaquoddy Tribe from the following areas or lands to the extent that those  
9 lands ~~are acquired by the secretary prior to January 31, 1991~~, are not held in common  
10 with any other person or entity and are certified by the secretary ~~by January 31, 1991~~,  
11 as held for the benefit of the Passamaquoddy Tribe:

12 The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P.  
13 (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9,  
14 W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond),  
15 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,  
16 B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.;  
17 any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle  
18 Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram  
19 C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any  
20 portion of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the  
21 lands of Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1,  
22 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,  
23 N.D.; any portion of T.4, N.D.; any portion of T.39, M.D.; any portion of T.40, M.D.;  
24 any portion of T.41, M.D.; any portion of T.42, M.D.B.P.P.; the lands of Diamond  
25 International Corporation, International Paper Company and Lincoln Pulp and Paper  
26 Company located in Argyle; and the lands of the Dyer Interests in T.A.R.7 W.E.L.S.,  
27 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.  
28 (Hammond Township), T.2 R.4 N.B.K.P. (Pittston Academy Grant), T.2 R.3  
29 N.B.K.P. (Soldiertown Township), and T.4 R.4 N.B.K.P. (Prentiss Township), and  
30 any lands in Albany Township acquired by the Passamaquoddy Tribe ~~before January~~  
31 ~~1, 1991~~;

32 C. Any land ~~not exceeding 100 acres~~ in the City of Calais acquired by the secretary  
33 for the benefit of the Passamaquoddy Tribe as long as the land ~~is acquired by the~~  
34 ~~secretary prior to January 1, 2001~~, is not held in common with any other person or  
35 entity and is certified by the secretary ~~by January 31, 2001~~, as held for the benefit of  
36 the Passamaquoddy Tribe, if:

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

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

1 D. All land acquired by the secretary for the benefit of the Passamaquoddy Tribe in  
2 T. 19, M.D. to the extent that the land ~~is acquired by the secretary prior to January 31,~~  
3 ~~2020~~, is not held in common with any other person or entity and is certified by the  
4 secretary ~~by January 31, 2020~~ as held for the benefit of the Passamaquoddy Tribe;

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

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

19 E. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in  
20 Township 21 consisting of Gordon Island in Big Lake, conveyed by Domtar Maine  
21 Corporation to the Passamaquoddy Tribe by corporate quitclaim deed dated April 30,  
22 2002, recorded in the Washington County Registry of Deeds in Book 2624, Page 301,  
23 to the extent that the land ~~is acquired by the secretary prior to January 31, 2017~~, is not  
24 held in common with any other person or entity and is certified by the secretary ~~by~~  
25 ~~January 31, 2017~~ as held for the benefit of the Passamaquoddy Tribe.

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

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

33 The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P.  
34 (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9,  
35 W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond),  
36 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,  
37 B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.;  
38 any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle  
39 Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram  
40 C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any  
41 portion of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the  
42 lands of Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1,  
43 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,  
44 N.D.; any portion of T.4, N.D.; any portion of T.39, M.D.; any portion of T.40, M.D.;

1 any portion of T.41, M.D.; any portion of T.42, M.D.B.P.P.; the lands of Diamond  
2 International Corporation, International Paper Company and Lincoln Pulp and Paper  
3 Company located in Argyle; any land acquired in Williamsburg T.6, R.8, N.W.P.;  
4 any ~~300 acres~~ lands in Old Town mutually agreed upon by the City of Old Town and  
5 the Penobscot Nation Tribal Government, ~~provided that the mutual agreement must~~  
6 ~~be finalized prior to August 31, 1991;~~ any lands in Lakeville acquired by the  
7 Penobscot Nation ~~before January 1, 1991;~~ and all the property acquired by the  
8 Penobscot Indian Nation from Herbert C. Haynes, Jr., Herbert C. Haynes, Inc. and  
9 Five Islands Land Corporation located in Township 1, Range 6 W.E.L.S.

10 **Sec. 3. Effective date; certification.** This Act does not take effect unless, within  
11 60 days of the adjournment of the First Regular Session of the 128th Legislature, the  
12 Secretary of State receives written certification by the Tribal Chief and Council of the  
13 Penobscot Nation and the Joint Tribal Council of the Passamaquoddy Tribe that the  
14 nation and tribe have agreed to the provisions of this Act pursuant to 25 United States  
15 Code, Section 1725(e), copies of which must be submitted by the Secretary of State to the  
16 Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of  
17 Statutes; except that in no event may this Act become effective until 90 days after the  
18 adjournment of the First Regular Session of the 128th Legislature.

19 **SUMMARY**

20 This bill removes the time and acreage limits for placing land in trust status for the  
21 Passamaquoddy Tribe and the Penobscot Nation under the Maine Indian Claims  
22 Settlement.