

MAINE STATE LEGISLATURE

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Date: 4/19/22

(Filing No. S-574)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P. 662, L.D. 906, "An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water"

Amend the amendment in section 4 in paragraph F by striking out the blocked paragraph at the end and inserting the following:

'Notwithstanding subsection 5, the addition of land to the Passamaquoddy Indian territory pursuant to this paragraph is subject to approval by the legal voters in the Town of Perry at a referendum.'

Amend the amendment by striking out all of sections 5, 6, 7, 8, 9, 10 and 11.

Amend the amendment by striking out all of section 12 and inserting the following:

'Sec. 12. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Bureau of Administrative Services and Corporations 0692

Initiative: Provides one-time funding to reimburse the Town of Perry for the costs of a referendum election.

Table with 3 columns: GENERAL FUND, 2021-22, 2022-23. Rows include All Other and GENERAL FUND TOTAL.

Amend the amendment by inserting after section 13 the following:

'Sec. 14. Referendum; effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 30, section 6205, subsection 1, paragraphs D-2 and E and enact Title 30, section 6205, subsection 1, paragraph F must be submitted to the legal voters in the Town of Perry at a town referendum after passage of this Act for the purposes of voting on the addition of 2 parcels of land to the Passamaquoddy Indian territory as described in this Act. Warrants must be issued for the town meeting in the manner provided by law for the holding of such meetings, notifying and warning the qualified voters of the

SENATE AMENDMENT

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1 town to vote on the approval or rejection of those sections of this Act that amend the Maine
2 Revised Statutes, Title 30, section 6205, subsection 1, paragraphs D-2 and E and enact Title
3 30, section 6205, subsection 1, paragraph F.

4 The subject matter of those sections of this Act that amend the Maine Revised Statutes,
5 Title 30, section 6205, subsection 1, paragraphs D-2 and E and enact Title 30, section 6205,
6 subsection 1, paragraph F must be reduced to the following question:

7 "Do you favor adding 2 parcels of land in the Town of Perry owned by the
8 Passamaquoddy Tribe to the Passamaquoddy Indian territory?"

9 The municipal officers of the Town of Perry shall declare the result of the vote, and the
10 town clerk shall file certificates of the vote with the Secretary of State within 10 days of
11 the date of the vote. Those sections of this Act that amend the Maine Revised Statutes,
12 Title 30, section 6205, subsection 1, paragraphs D-2 and E and enact Title 30, section 6205,
13 subsection 1, paragraph F take effect for all purposes immediately upon their acceptance
14 by a majority of the legal voters in the Town of Perry and their approval by the Joint Tribal
15 Council of the Passamaquoddy Tribe as provided in this Act except that in no event may
16 these sections take effect until 90 days after adjournment of the Second Regular Session of
17 the 130th Legislature.'

18 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
19 section number to read consecutively.

20 **SUMMARY**

21 This amendment requires the approval by the voters of the Town of Perry at a
22 referendum for the addition of land to the Passamaquoddy Indian territory as specified in
23 Committee Amendment "A." It removes the provisions of Committee Amendment "A" that
24 provide that the United States Environmental Protection Agency, and not the State, has the
25 primary authority to regulate drinking water standards within the Passamaquoddy Indian
26 territory and that authorize the Passamaquoddy Tribe to seek authority from the United
27 States Environmental Protection Agency to regulate drinking water standards within the
28 Passamaquoddy Indian territory.

29 **SPONSORED BY:** Maurine Moore

30 (Senator MOORE, M.)

31 **COUNTY:** Washington

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 906

LR 1056(05)

An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-574)

Sponsor: Sen. Moore of Washington

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Funded

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$900	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$900	\$0	\$0

State Mandates

Required Activity	Unit Affected	Local Cost
Requires the Town of Perry to hold a referendum to consider the addition of 2 parcels of land in the Town of Perry owned by the Passamaquoddy Tribe to Passamaquoddy Indian territory.	Municipality	\$1,000

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

The bill includes a one-time General Fund appropriation of \$900 in fiscal year 2022-23 to the Department of Secretary of State to reimburse the Town of Perry for the costs of a referendum election.