

MAINE STATE LEGISLATURE

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REPORT C
JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

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

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. P&SL 1983, c. 25, §15 is repealed.

Sec. 2. 30 MRSA §6205, sub-§1, ¶D-2, as amended by PL 2021, c. 139, §1 and affected by §3, is further amended to read:

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 not held in common with any other person or entity and is certified by the secretary as held for the benefit of the Passamaquoddy Tribe; and

Sec. 3. 30 MRSA §6205, sub-§1, ¶E, as amended by PL 2021, c. 139, §1 and affected by §3, is further amended to read:

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 not held in common with any other person or entity and is certified by the secretary as held for the benefit of the Passamaquoddy Tribe; and

Sec. 4. 30 MRSA §6205, sub-§1, ¶F is enacted to read:

F. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Perry consisting of:

ROFS

(1) Land conveyed by Denise E. Plouffe to the Passamaquoddy Tribe by quitclaim deed dated October 5, 2017, recorded in the Washington County Registry of Deeds in Book 4403, Pages 18 and 19; and

(2) Land conveyed by Austin Humphries to the Passamaquoddy Tribe by deed dated November 18, 1983, recorded in the Washington County Registry of Deeds in Book 1252, Pages 93 to 95.

Notwithstanding subsection 5 and any other provision of this Act to the contrary, the addition of land to the Passamaquoddy Indian territory pursuant to this paragraph is not subject to approval by any city, town, village or plantation within the State.

Sec. 5. Contingent effective date; certification. This Act does not take effect unless, within 60 days after adjournment of the Second Regular Session of the 130th Legislature, the Secretary of State receives written certification by the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has agreed to the provisions of this Act, copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes.'

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

SUMMARY

This amendment strikes and replaces the bill, which is a concept draft. The intent of this amendment is to improve access to safe drinking water for the Passamaquoddy Tribe at Pleasant Point and surrounding communities. The amendment exempts the property of the Passamaquoddy Water District, which is a nontribal entity, from taxation by municipal governments. It also authorizes 2 parcels of tribally owned fee land in close proximity to the existing Passamaquoddy Indian territory to be added to the tribe's Indian territory through the federal trust acquisition process, without local approval, in order to provide access to alternate supplies of groundwater.

FISCAL NOTE REQUIRED

(See attached)



Approved: 03/17/22 *MAC*

130th MAINE LEGISLATURE

LD 906

LR 1056(03)

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

Fiscal Note for Bill as Amended by Committee Amendment *BCH-985*

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Current biennium revenue decrease - Municipalities

Fiscal Detail and Notes

Repealing Private and Special Law 1983, c. 25, Section 15 would exempt property of the Passamaquoddy Water District from property taxes and lead to a loss of municipal property tax revenue. No estimate of the loss has been made at this time.