

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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Whereas, the Attorney General's request to have the position of secretary to the Attorney General placed in unclassified service must be made to the Legislature; and

Whereas, the position of Secretary to the Attorney General has unique responsibilities and confidences due to the nature of the office; and

Whereas, the present position of secretary to the Attorney General is vacant and the present placement of the position of secretary makes it difficult to fill the vacancy; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA § 711, sub-§ 10, as last amended by PL 1973, c. 625, § 21, is repealed and the following enacted in place thereof:

10. Deputies, assistants and the secretary to the Attorney General of the Department of Attorney General. Deputies, assistants and secretary to the Attorney General of the Attorney General's Department.

Sec. 2. 5 MRSA § 196, last sentence, as last repealed and replaced by PL 1973, c. 711, § 4, is amended to read:

The compensations of the deputy attorneys general, staff attorneys ~~and~~, assistant attorneys general and secretary to the Attorney General shall be fixed by the Attorney General with the approval of the Governor and Council, but such compensations shall not in the aggregate exceed the amount appropriated therefor.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 25, 1975

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## CHAPTER 97

**AN ACT to Clarify the Laws of the Passamaquoddy Tribe of Indians.**

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

Sec. 1. 12 MRSA § 2401-B, sub-§ 7, first sentence, as last repealed and replaced by PL 1973, c. 92, is amended to read:

The commissioner (Inland Fisheries and Game) shall issue a hunting, trapping and fishing license to any Indian over the age of 10 years of the Passamaquoddy, Penobscot, Maliseet or Micmac Tribes without any charge or fee, providing the Indian presents a certificate from the ~~Commissioner of Indian~~

~~Affairs~~ respective reservation governor stating that the person described is an Indian and a member of that tribe.

**Sec. 2.** 20 MRSA § 2210, first ¶, 2nd sentence, as amended by PL 1971, c. 610, § 22, is further amended to read:

The composition of the Indian Scholarship Committee shall be as follows: The Supervisor of Indian Education of the Educational and Cultural Services; 2 ~~representatives~~ members of the Passamaquoddy Tribe, chosen by joint session of the tribal councils of Indian Township and Pleasant Point; 2 ~~representatives~~ members of the Penobscot Tribe, chosen by the tribal council of the Penobscot Tribe; 2 ~~representatives~~ members of the Association of Aroostook Indians, Inc., chosen by the board of directors of the Association of Aroostook Indians, Inc.; and a representative of the Chancellor of the University of Maine.

**Sec. 3.** 22 MRSA § 4831, as last repealed and replaced by PL 1973, c. 740, § 2, is amended by adding a new sentence after the first sentence to read:

Beginning with the election in 1976, the members of the tribal council shall be elected by a majority vote of those present and voting for terms of 4 years each, except that of those first elected, 3 shall serve for a term of 2 years.

**Sec. 4.** 22 MRSA § 4831-A, 2nd sentence, as enacted by PL 1973, c. 740, § 3, is amended to read:

Vacancies in the offices of governor, lieutenant governor and representative shall be filled by a special election called by the ~~commissioner~~ respective tribal council.

**Sec. 5.** 22 MRSA § 4831-A, 2nd ¶, first sentence, as enacted by PL 1973, c. 740, § 3, is amended to read:

The governors shall preside over all meetings of the council and ~~be a member ex officio~~ shall be entitled to vote only in case of a tie.

**Sec. 6.** 22 MRSA § 4831-A, 3rd ¶, last sentence, as enacted by PL 1973, c. 740, § 3, is amended to read:

At joint meetings of the tribal councils from both reservations, a total of 7 council members shall constitute a quorum, with at least 3 members being present from ~~one~~ each reservation.

**Sec. 7.** 22 MRSA § 4832, sub-§ 3, as repealed and replaced by PL 1973, c. 62, is repealed and the following enacted in place thereof:

3. Birth; adoption. Membership in the Passamaquoddy Tribe of Indians at Pleasant Point shall be acquired only by birth.

**Sec. 8.** 22 MRSA § 4832, sub-§§ 4 and 5, as repealed and replaced by PL 1973, c. 62, are repealed.