

§6207-B. Jurisdiction of Penobscot Nation over drinking water within the Penobscot Indian territory

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

(WHOLE SECTION TEXT EFFECTIVE ON CONTINGENCY: See PL 2023, c. 369, Pt. C, §6)

Notwithstanding any provision of state law to the contrary, pursuant to the federal Maine Indian Claims Settlement Act of 1980, Public Law 96-420, Section 6(e)(1), the State and the Penobscot Nation agree and establish that: [PL 2023, c. 369, Pt. C, §3 (NEW); PL 2023, c. 369, Pt. C, §6 (AFF).]

1. Jurisdiction of Penobscot Nation to administer drinking water-related programs. The Penobscot Nation may seek to be treated as a state pursuant to the federal Safe Drinking Water Act, 42 United States Code, Section 300j-11, and its implementing regulations, as amended, within the Penobscot Indian territory and may otherwise benefit from and exercise jurisdiction under any other federal law enacted after October 10, 1980 that permits a federally recognized Indian tribe to administer drinking water-related programs; and [PL 2023, c. 369, Pt. C, §3 (NEW); PL 2023, c. 369, Pt. C, §6 (AFF).]

2. Administration of drinking water-related programs does not affect or preempt state law. The application of any provision of the federal Safe Drinking Water Act and its implementing regulations, as amended, and of any other federal law enacted after October 10, 1980 that permits a federally recognized Indian tribe to administer drinking water-related programs and the enforcement of such laws and regulations by the Penobscot Nation under subsection 1 does not affect or preempt the laws of the State. [PL 2023, c. 369, Pt. C, §3 (NEW); PL 2023, c. 369, Pt. C, §6 (AFF).]

Notwithstanding any other provision of this section, the Penobscot Nation's jurisdiction does not extend beyond the Penobscot Indian territory. [PL 2023, c. 369, Pt. C, §3 (NEW); PL 2023, c. 369, Pt. C, §6 (AFF).]

SECTION HISTORY

PL 2023, c. 369, Pt. C, §3 (NEW). PL 2023, c. 369, Pt. C, §6 (AFF).

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