

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

'Resolve, To Direct Fines Collected on Tribal Lands to the Passamaquoddy Tribe and the Penobscot Nation'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1 Collection of traffic infraction fines on Indian territory. Resolved: That the chief executive officer of the Passamaquoddy Tribe law enforcement agency and the chief executive officer of the Penobscot Nation law enforcement agency shall work with the Chief Judge of the District Court to:

1. Develop tribal Violation Summons and Complaint forms and books that provide for payment of fines for traffic infractions issued by tribal officers on Indian territory to the respective tribe, and otherwise meet the requirements of the Maine Revised Statutes, Title 29-A, chapter 23, subchapter 6. The form of the tribal Violation Summons and Complaint must be approved by the Chief Judge of the District Court prior to its use;

2. Develop a process that allows fines for traffic infractions on the territory of the Passamaquoddy Tribe or the Penobscot Nation to be paid directly to the respective tribe when the Violation Summons and Complaint was issued by a tribal law enforcement officer. Fines for actions taken by the District Court in the case of defaults or trials are not remitted to the Passamaquoddy Tribe or the Penobscot Nation; and

3. Report to the Joint Standing Committee on Judiciary by January 15, 2008 on the following:

A. The status of the Violation Summons and Complaint forms to be used by tribal law enforcement officers;

B. The status of the process to allow payment of traffic infraction fines to the respective tribes; and

C. Any recommended language necessary to implement this resolve.

After receiving the report, the joint standing committee may submit legislation related to the report to the Second Regular Session of the 123rd Legislature.'

SUMMARY

This amendment replaces the bill with a resolve that directs the chief executive officer of the Passamaquoddy Tribe law enforcement agency and the chief executive officer of the Penobscot Nation law enforcement agency to work with the Chief Judge of the District Court to:

1. Develop Violation Summons and Complaint forms for tribal traffic violations;

2. Develop a process to ensure payment is made to the Passamaquoddy Tribe or the Penobscot Nation, as required; and

'Resolve, To Direct Fines Collected on Tribal Lands to the Passamaquoddy Tribe and the Penobscot Nation'

3. Report to the Joint Standing Committee on Judiciary about the forms, the process and any recommended legislation.

The Joint Standing Committee on Judiciary may submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

FISCAL NOTE REQUIRED
(See attached)