An Act To Create Gaming Equity and Fairness for the Native American Tribes in Maine

Received by the Clerk of the House on February 22, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Presented by Representative COLLINGS of Portland.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30 MRSA §6206, sub-§4 is enacted to read:

4. Gaming. Pursuant to United States Public Law 96-420, Section 6(e), the State and the Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet Indians hereby agree and establish that, with respect to the conduct of gaming activities by the Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet Indians within their respective Indian territory or trust land, the government responsibility and jurisdiction of the State and the Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet Indians are governed by the federal Indian Gaming Regulatory Act, Public Law 100-497, 25 United States Code, Section 2701 et seq. Any law of this State that is contrary to this subsection or to any provision of the Indian Gaming Regulatory Act does not apply to the conduct of gaming activities by Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet Indians within their respective Indian territory or trust land.

SUMMARY

Section 6(e) of the federal Maine Indian Claims Settlement Act of 1980, authorizes the amendment of the Act to Implement the Maine Indian Claims Settlement if such amendment is made with the agreement of the affected Tribe and relates to the enforcement or application of civil, criminal or regulatory laws of the Tribes or State, to the allocation or determination of governmental responsibility of the Tribes and the State over specified subject matters or geographical areas or to the allocation of jurisdiction between tribal and state courts. This amends the Maine law to provide that gaming is allowed under the terms established by the federal Indian Gaming Regulatory Act.