JUDICIARY

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

130TH LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 115, L.D. 159, “An Act To Extend Time
Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement”

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

'An Act To Eliminate Time Limits for Placing Land in Trust Status under the Maine
Indian Claims Settlement'

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

'Sec. 1. 30 MRSA §6205, sub-§1, as amended by PL 2013, c. 91, §§1 and 2 and
affected by §3, is further amended to read:

1. Passamaquoddy Indian territory. Subject to subsections 3, 4 and 5, the following
lands within the State are known as the "Passamaquoddy Indian territory:"

A. The Passamaquoddy Indian Reservation;

B. The first 150,000 acres of land acquired by the secretary for the benefit of the
Passamaquoddy Tribe from the following areas or lands to the extent that those lands
are acquired by the secretary prior to January 31, 1991, are not held in common with
any other person or entity and are certified by the secretary by January 31, 1991, as
held for the benefit of the Passamaquoddy Tribe:

The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P.
the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond), T.4, R.5,
B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5,
any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle
Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram
C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any portion
of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the lands of
Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1, N.B.P.P. and
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C. Any land not exceeding 100 acres in the City of Calais acquired by the secretary for the benefit of the Passamaquoddy Tribe as long as the land is acquired by the secretary prior to January 1, 2001, is not held in common with any other person or entity and is certified by the secretary by January 31, 2001, as held for the benefit of the Passamaquoddy Tribe, if:

(1) The acquisition of the land by the tribe is approved by the legislative body of that city; and

(2) A tribal-state compact under the federal Indian Gaming Regulatory Act is agreed to by the State and the Passamaquoddy Tribe or the State is ordered by a court to negotiate such a compact;

D. All land acquired by the secretary for the benefit of the Passamaquoddy Tribe in T.19, M.D. to the extent that the land is acquired by the secretary prior to January 31, 2020, is not held in common with any other person or entity and is certified by the secretary by January 31, 2020 as held for the benefit of the Passamaquoddy Tribe;

D-1. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Centerville consisting of Parcels A, B and C conveyed by Bertram C. Tackeff to the Passamaquoddy Tribe by quitclaim deed dated July 27, 1981, recorded in the Washington County Registry of Deeds in Book 1147, Page 251, to the extent that the land is acquired by the secretary prior to January 31, 2017, is not held in common with any other person or entity and is certified by the secretary by January 31, 2017 as held for the benefit of the Passamaquoddy Tribe;

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 acquired by the secretary prior to January 31, 2023, is not held in common with any other person or entity and is certified by the secretary by January 31, 2023 as held for the benefit of the Passamaquoddy Tribe; and

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 acquired by the secretary prior to January 31, 2017, is not held in common with any other person or entity and is certified by the secretary by January 31, 2017 as held for the benefit of the Passamaquoddy Tribe.
Sec. 2. 30 MRSA §6205, sub-§2, ¶B, as amended by PL 1999, c. 625, §1, is further amended to read:

B. The first 150,000 acres of land acquired by the secretary for the benefit of the Penobscot Nation from the following areas or lands to the extent that those lands are acquired by the secretary prior to January 31, 2021, are not held in common with any other person or entity and are certified by the secretary by January 31, 2021, as held for the Penobscot Nation:


Sec. 3. Effective date; certification. This Act does not take effect unless, within 60 days of the adjournment of the First Special Session of the 130th Legislature, the Secretary of State receives written certification by the Tribal Chief and Council of the Penobscot Nation and the Joint Tribal Council of the Passamaquody Tribe that the nation and tribe have agreed to the provisions of this Act pursuant to 25 United States Code, Section 1725(e), 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; except that in no event may this Act become effective until 90 days after the adjournment of the First Special Session of the 130th Legislature.

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

This amendment removes all time limits for both the Passamaquoddy Tribe and the Penobscot Nation to add to their respective trust lands under the Act to Implement the Maine Indian Claims Settlement.

FISCAL NOTE REQUIRED

(See attached)