



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 554

H.P. 399

House of Representatives, February 24, 2021

**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.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.
Cosponsored by Representatives: NEWELL of the Passamaquoddy Tribe, PERRY of Calais,
Senator: MOORE of Washington.

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

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

3 **4. Gaming.** Pursuant to United States Public Law 96-420, Section 6(e), the State and
4 the Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet Indians hereby
5 agree and establish that, with respect to the conduct of gaming activities by the
6 Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet Indians within
7 their respective Indian territory or trust land, the government responsibility and jurisdiction
8 of the State and the Passamaquoddy Tribe, Penobscot Nation and Houlton Band of Maliseet
9 Indians are governed by the federal Indian Gaming Regulatory Act, Public Law 100-497,
10 25 United States Code, Section 2701 et seq. Any law of this State that is contrary to this
11 subsection or to any provision of the Indian Gaming Regulatory Act does not apply to the
12 conduct of gaming activities by Passamaquoddy Tribe, Penobscot Nation and Houlton
13 Band of Maliseet Indians within their respective Indian territory or trust land.

14 **SUMMARY**

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