



TOWN OF CARRABASSETT VALLEY
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Senator Carney, Representative Moone and members of Legislative Judiciary Committee

Testimony from the Town of Carrabassett Valley Select Board regarding L.D. 2007

The Select Board of Carrabassett Valley has serious concerns regarding L.D. 2007. While complete Sovereignty is important to Maine Indian Tribes, it may come with serious implications and unintended consequences for Maine Towns and Cities and especially in the case of our community of Carrabassett Valley. Our community is unique with respect to this legislation and we have significantly more impacts in terms of our land base affected by this legislation (24,000 acres) than any other town in Maine.

While there are many concerns with this legislation including the potential for significant legal challenges due to ambiguous language in this legislation the following are our primary concerns.

Our biggest concern is that this legislation may eliminate an important section of the Maine Implementing Act that currently provides that in an Organized Town in Maine Tribal Fee land cannot be converted to Federal Trust land without a vote of the Town. This is potentially a significant infringement of municipal Home Rule in Maine. Federal Trust lands with 24,000 acres or one-half of our Town's land base could be created within our Town with no vote of our citizens'. We would ask the members of the Judiciary Committee how the voters of their respective communities would react to one-half of their Town's land base being converted to Federal Trust land without your voter's approval!

Secondly, why does the conversion of fee land to Federal Trust land only apply to six more northerly Counties in Maine. This seems like significant political expediency where there is virtually no impact in southern Maine. We are asked to carry the burden and potential consequences of this legislation.

Also, provisions in L.D. 2007 regarding payments in lieu of paying property taxes and zoning requirements are very vague and left to a lot of interpretation (as an example, would the Penobscot

Nation pay property taxes based on taxes prior to 1980?). Also, we have hundreds of homes that abut Indian lands in Carrabassett Valley. There is a lot of uncertainty in L.D. 2007 regarding zoning protections for these many homeowners.

The Town's Relationship with the Penobscot Indian Nation:

The Town of Carrabassett Valley (CV) values our relationship with the Penobscot Indian Nation which owns 24,000 acres or almost one-half of the land base in our community. We wish to see the Nation succeed and have a bright future. Unfortunately, that relationship has eroded over the past three or four years and the Penobscot Nation has closed their lands in CV to the public dramatically affecting local snowmobile and other trail systems. For many years prior to this land closure, the town and the Nation had a good relationship that benefited both parties. We have repeatedly tried to communicate with Penobscot Indian Nation leadership as evidenced by the multiple communication attempts to discuss our relationship and how we can work together to come up with ideas and solutions for our mutual benefit. That includes negotiating the conversion of their Carrabassett Valley lands into Trust Land designation. We are committed to working to make that happen if given the opportunity but we need to be able to talk to Penobscot Indian Nation leadership and negotiate this in good faith and allow our citizens to participate (vote) in this process.

We ask you to consider the impacts of L.D. 2007 as written. Changes to the 'Maine Implementing Act' (based on the Federal Indian Land Claims Settlement Act) may have very serious consequences. The original Settlement Act has stood for over 40 years and is well understood. We ask you to please consider the consequences of L.D. 2007 and provide adequate protections to the municipalities and homeowners affected by this legislation. We ask that the conversion of Maine Tribal Fee land to Federal Trust Land in organized municipalities continue to require that Maine Towns have the right to vote on this issue as the current 'Maine Implementing Act' now requires. The language in L.D. 2007 is very ambiguous and confusing.

Thank you for your consideration.