

§7204. Acquisition of Aroostook Band Trust Land

1. Approval. The State of Maine approves the acquisition by the secretary of Aroostook Band Trust Land within the State of Maine provided as follows.

A. No land or natural resources acquired by the secretary may have the status of Aroostook Band Trust Land, or be deemed to be land or natural resources held in trust by the United States, until the secretary files with the Maine Secretary of State a certified copy of the deed, contract or other instrument of conveyance, setting forth the location and boundaries of the land or natural resources so acquired. Filing by mail shall be complete upon mailing. [PL 1989, c. 148, §§3, 4 (NEW).]

B. No land or natural resources may be acquired by the secretary for the Aroostook Band of Micmacs until the secretary files with the Maine Secretary of State a certified copy of the instrument creating the trust described in section 7207, together with a letter stating that the secretary holds not less than \$50,000 in a trust account for the payment of obligations of the Aroostook Band of Micmacs, and a copy of the claim filing procedures the secretary has adopted. [PL 1989, c. 148, §§3, 4 (NEW).]

C. No land or natural resources located within any city, town, village or plantation may be acquired by the secretary for the Aroostook Band of Micmacs without the approval of the legislative body of the city, town, village or plantation. [PL 1989, c. 148, §§3, 4 (NEW).]

[PL 1989, c. 148, §§3, 4 (NEW).]

2. Takings for public uses. Aroostook Band Trust Land may be taken for public uses in accordance with the laws of the State to the same extent as privately owned land. The proceeds from any such taking shall be deposited in the Land Acquisition Fund. The United States shall be a necessary party to any such condemnation proceeding. After exhausting all state administrative remedies, the United States shall have an absolute right to remove any action commenced in the courts of this State to a United States court of competent jurisdiction.

[PL 1989, c. 148, §§3, 4 (NEW).]

3. Restraints on alienation. Any transfer of Aroostook Band Trust Land shall be void ab initio and without any validity in law or equity, except:

A. Takings for public uses pursuant to the laws of this State; [PL 1989, c. 148, §§3, 4 (NEW).]

B. Takings for public uses pursuant to the laws of the United States; [PL 1989, c. 148, §§3, 4 (NEW).]

C. Transfers of individual use assignments from one member of the Aroostook Band of Micmacs to another band member; [PL 1989, c. 148, §§3, 4 (NEW).]

D. Transfers authorized by federal law ratifying and approving this Act; and [PL 1989, c. 148, §§3, 4 (NEW).]

E. Transfers made pursuant to a special act of Congress. [PL 1989, c. 148, §§3, 4 (NEW).]

If the fee to the Aroostook Band Trust Land is lawfully transferred to any person or entity, the land so transferred shall cease to have the status of Aroostook Band Trust Land.

[PL 1989, c. 148, §§3, 4 (NEW).]

REVISOR'S NOTE: Needs ratification by Indian tribes per Secretary of State

SECTION HISTORY

PL 1989, c. 148, §§3,4 (NEW).

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