

Proposed changes to bill are highlighted

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

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 and its implementing regulations. Any law of this State that is contrary to this subsection or to any provision of the Indian Gaming Regulatory Act or its implementing regulations, or that would be affected or preempted by the Act or those regulations, 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.

Sec. 2. Contingent effective date. This Act takes effect 120 days after adjournment of the _____ Session of the 130th Legislature only if, within 90 days after the adjournment of the _____ Session of the 130th Legislature, the Secretary of State receives written certification from the Joint Tribal Council of the Passamaquoddy Tribe, the Governor and the Council of the Penobscot Nation, and the Houlton Band Council of the Houlton Band of Maliseet Indians that the tribe, nation and band have agreed to the provisions of this Act pursuant to section 6(e) of the federal Maine Indian Claims Settlement Act of 1980, Public Law 96-420, copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes.

SUMMARY

This amendment clarifies that the conduct of gaming activities by the Passamaquoddy Tribe, the Penobscot Nation and the Houlton Band of Maliseet Indians is governed by the provisions of the federal Indian Gaming Regulatory Act and its implementing regulations. In addition, because the bill amends the Act to Implement the Maine Indian Claims Settlement, the amendment provides that the bill does not take effect unless the Joint Tribal Council of the Passamaquoddy tribe, the Governor and the Council of the Penobscot Nation and the Houlton Band Council of the Houlton Band of Maliseet Indians agree to the provisions of the bill and certify their agreement to the Secretary of State within 90 days of the adjournment of the _____ Session of the 130th Legislature.