

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Twelfth

Legislature

OF THE

STATE OF MAINE

VOLUME I

SECOND REGULAR SESSION

January 8 - April 2, 1986

Bill "An Act Concerning State Contribution to Pollution Abatement"

H.P. 1469 L.D. 2071
(S "A" S-389; H "A" H-540)

Tabled - March 11, 1986, by Senator VIOLETTE of Aroostook.

Pending - FURTHER CONSIDERATION

(In House, March 3, 1986, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-540).)

(In Senate, March 5, 1986, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" S-389 AND HOUSE AMENDMENT "A" H-540 in NON-CONCURRENCE.)

(In the House, March 10, 1986, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-540) AS AMENDED BY HOUSE AMENDMENT "A" (H-564) thereto AND SENATE AMENDMENT "A" (S-389) in NON-CONCURRENCE.)

On motion by Senator VIOLETTE of Aroostook, the Senate ADHERED in NON-CONCURRENCE.

Sent down for concurrence.

The Chair laid before the Senate the Tabled and Specially assigned matter:

Bill "An Act to Extend the Trust Land Designation of the Penobscot Nation"

S.P. 721 L.D. 1844
(C "A" S-402)

Tabled - March 11, 1986, by Senator VIOLETTE of Aroostook.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, March 11, 1986, READ A SECOND TIME.)

On motion by Senator VIOLETTE of Aroostook, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED AS AMENDED.

On motion by Senator VIOLETTE of Aroostook, the Senate removed from the Tabled and Later Today assigned matter:

Bill "An Act Relating to the Time of Passamaquoddy Tribe Trust Land Designation"

H.P. 1183 L.D. 1680
(C "A" H-565)

Tabled - March 12, 1986, by Senator VIOLETTE of Aroostook.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, March 12, 1986, READ A SECOND TIME.)

(In House, March 11, 1986, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-565).)

On motion by Senator PEARSON of Penobscot, the Senate RECONSIDERED its action whereby it ADOPTED Committee Amendment "A" (H-565).

On further motion by same Senate Amendment "A" (S-411) to Committee Amendment "A" (H-565) READ.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Mr. President and Men and Women of the Senate. What I have to say, I think, is very important, because I want to reestablish legislative intent at the same time, while offering this Amendment. This Amendment is an Amendment to allow the Passamaquoddy Tribe to purchase land, pursuant to the Indian Land Claim Settlement Act. Each year an extension has been given to both the Penobscot and the Passamaquoddy Tribes, to continue to do what was promised to them, under the Indian Land Claim Settlement Act.

That is, that they would be able to continue to buy land in areas designated by the State, and agreed to by the Tribes, pursuant to that Act. It is a normal thing that we have done continually, to keep our end of the bargain for the two Tribes. This allows them to continue the purchases and the swapping that has been going on for some time, since the Settlement Act.

The reason I am elaborating on this, is because I want anybody who may read this Record to realize that it was the intention, and is the intention of the State to keep the agreement that we had with the Tribes, because it is very important. The Department of Energy's recent moves in the State, and in particular in the Bottle Lake complex, with regards to the possibility of placing a nuclear high level dump there. This is not a new action of this Legislature. It is simply a continuation of a promise that that land in that area, and other areas so designated, are still able to be purchased by the Indians, as we promised, provided they could find a willing buyer in the area that they wish to purchase the land from. So, this Amendment extends that for 2 years, instead of 1, which was the original Bill. I am making the assertion for the Record, that this is simply a continuation of a promise, a responsibility that we have, and so does the Federal Government.

Senate Amendment "A" (S-411) to Committee Amendment "A" (H-565) ADOPTED.

Committee Amendment "A" (H-565) as Amended by Senate Amendment "A" (S-411), thereto ADOPTED in NON-CONCURRENCE.

On motion by Senator VIOLETTE of Aroostook, Tabled Unassigned, pending PASSAGE TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE.

On motion by Senator VIOLETTE of Aroostook, the Senate removed from the Tabled and Later Today assigned matter:

Bill "An Act to Extend the Trust Land Designation of the Penobscot Nation"

S.P. 721 L.D. 1844
(C "A" S-402)

Tabled - March 12, 1986, by Senator VIOLETTE of Aroostook.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, March 11, 1986, READ A SECOND TIME.)

Senate at Ease

Senate called to order by the President.

On motion by Senator PEARSON of Penobscot, the Senate RECONSIDERED its action whereby it ADOPTED Committee Amendment "A" (S-402).

On further motion by same Senator, Senate Amendment "A" (S-412) to Committee Amendment "A" (S-402) READ.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Mr. President, Men and Women of the Senate. This does for the Penobscot Nation, the same as the previous Amendment did for the Passamaquoddy Tribe. It allows them to continue to be able to purchase land that we promised would be available for them to purchase, if they could find a willing seller. It allows them to continue what they have been promised that they could do, under Federal Legislation, State Legislation and Tribal approval, under the Indian Land Claims Settlement Act.

It allows them to continue to be able to purchase land, specifically in the Bottle Lake area, that is now being considered for a nuclear high level repository, both in Hancock, Washington and Penobscot Counties. It will be Tabled after the induction of this Amendment, pending the approval of the Tribal State Commission. It is our promise to keep our word, just as we expect the Federal Government will keep their word.

Senate Amendment "A" (S-412) to Committee Amendment "A" (S-402) ADOPTED.

Committee Amendment "A" (S-402) as Amended by Senate Amendment "A" (S-412), thereto ADOPTED in NON-CONCURRENCE.

On motion by Senator VIOLETTE of Aroostook, Tabled Unassigned, pending PASSAGE TO BE ENGROSSED AS AMENDED.

Off Record Remarks

Senate at Ease

Senate called to order by the President.

The Chair laid before the Senate the Tabled and Later Today assigned matter:

HOUSE REPORTS - from the Committee on TRANSPORTATION on Bill "An Act Relating to a New Registration Plate Issue."

H.P. 229 L.D. 263

Majority Report - Ought to Pass in New Draft under same title (Emergency)

H.P. 1540 L.D. 2171

Minority Report - Ought to Pass in New Draft under same title (Emergency)

H.P. 1541 L.D. 2172

Tabled - March 12, 1986, by Senator VIOLETTE of Aroostook.

Pending - ACCEPTANCE OF EITHER REPORT

(In Senate, March 12, 1986, Reports READ.)

(In House March 12, 1986, Majority OUGHT TO PASS IN NEW DRAFT (H.P. 1540) (L.D. 2171) Report READ and ACCEPTED and the NEW DRAFT PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-568).)