



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Joint Resolution House Paper 963

House of Representatives, April 4, 2013

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF
THE UNITED STATES AND THE CONGRESS OF THE UNITED
STATES TO PROVIDE TO THE HOULTON BAND OF
MALISEET INDIANS JUST AND EQUITABLE
COMPENSATION COMPARABLE TO THE SETTLEMENT
PROVIDED TO THE PENOBSCOT NATION AND THE
PASSAMAQUODDY TRIBE**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BEAR of the Houlton Band of Maliseet Indians.
Cosponsored by Representatives: BEAVERS of South Berwick, CHAPMAN of Brooksville,
CROCKETT of Bethel, DICKERSON of Rockland, LOCKMAN of Amherst, MALABY of
Hancock, SOCTOMAH of the Passamaquoddy Tribe, STUCKEY of Portland, VEROW of
Brewer, VILLA of Harrison, WILLETTE of Mapleton.

STATE OF MAINE

—
**IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN**
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**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF
THE UNITED STATES AND THE CONGRESS OF THE UNITED
STATES TO PROVIDE TO THE HOULTON BAND OF MALISEET
INDIANS JUST AND EQUITABLE COMPENSATION
COMPARABLE TO THE SETTLEMENT PROVIDED TO THE
PENOBSCOT NATION AND THE PASSAMAQUODDY TRIBE**

WE, your Memorialists, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, in the 1970s, the Passamaquoddy Tribe, the Penobscot Nation and the Houlton Band of Maliseet Indians asserted claims for possession of large areas of land in the State and for damages, alleging that the lands in question originally were transferred in violation of the Indian Trade and Intercourse Act of 1790; and

WHEREAS, the Indian claimants and the State reached certain agreements that represented a good faith effort on the part of all parties to achieve a fair and just resolution of those claims, which, in the absence of agreement, would have been pursued through the courts for many years to the ultimate detriment of the State and all its citizens, including the Indians; and

WHEREAS, in 1980, a settlement was reached and was enacted by the Maine Legislature as the Maine Revised Statutes, Title 30, chapter 601, An Act to Implement the Maine Indian Claims Settlement, and, as part of the settlement, the tribes dropped their claims to 12.5 million acres of land; and

WHEREAS, the United States Congress indicated that it finds and declares that the settlement represented a good faith effort on the part of United States Congress to provide the 3 tribes with a fair and just settlement of their land claims; and

WHEREAS, of the \$81,500,000 settlement, paid for by the Federal Government and not the State of Maine, \$40,300,000 was awarded to the Passamaquoddy Tribe and \$40,300,000 was awarded to the Penobscot Nation, while \$900,000 was awarded to the Houlton Band of Maliseet Indians; and

WHEREAS, the Houlton Band of Maliseet Indians also claims aboriginal territory in Maine, although the basis of their claim is different from that of the Passamaquoddy Tribe and Penobscot Nation, because the Maliseet Indians had not signed treaties giving up their lands in Maine, yet their lands were taken from them; and

WHEREAS, the Houlton Band of Maliseet Indians believes that the settlement did not fairly compensate the band and seeks just and equitable compensation; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the United States Congress consider the request by the Houlton Band of Maliseet Indians to receive a just and fair level of compensation that is comparable to the compensation that was previously provided to the Passamaquoddy Tribe and Penobscot Nation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, the President of the United States Senate and the Speaker of the United States House of Representatives, to each Member of the Maine Congressional Delegation and to the appropriate representatives of the Houlton Band of Maliseet Indians.