

Notes on

Hr 1307 LD NO 1855

AW Act Regarding the Taxation of Goods
purchased in Connection with the operation
of a High-Stakes Bingo or High
Stakes Bingo Game.

Public Hearing on Monday Jan 26th
at 1:00 pm Am 221

May 27, 1987

History of AW Act Concerning "Bingo
Bingo" on Indian Reservations LD 1642

arguments were made by
Rep. Atcham

property held in trust
can only be sold to other Indians
Fair market value would be very
little value

Tribes need revenue from Bingo
to help support tribal governments
The games provided revenues
for Tribal government - essential services
such as police, ^{fire} youth protection,
recreation, senior citizens activities,
adult education programs etc.
The Bill states

" The new revenues from
tribal Bingo operations
shall be used solely

to fund tribal government operations, programs of economic development; and to provide for the general welfare of the tribe and its members; and may also be donated to charity organizations and to help fund operations of local governmental agencies."

Question by the State tax assessors office is:

Under the Pindsoot Nation, in operating its High Stakes Bingo, Acts in a "governmental capacity" or a "business capacity" The nation is not subject to taxation in its governmental capacity.

Rick Bennett
Foursquare

LD # 2036

"Bill An Act to Amend the Act
to Complement the Maine Indian
Claims Settlement"

Technical Amendment to
30 M.R.S.A § 6209-B
Jurisdiction of the Penobscot
Native Tribal Court,

law previously appeared in PL 1991
Chap 766

The current change includes ^{the same} ~~similar~~
language ~~that~~ that was proposed in December
12, 1994 by Legislative Analyst
Margaret J. Reinsch (see attached).
Gary Groome, Chief Judge of ~~the~~
Penobscot Tribal Court and George
Tinner, Administrator of the Penobscot
Tribal Court testified before the
Senate Judiciary Committee on behalf
of the proposed draft.

The Passamaquoddy and Penobscot
representatives clearly did not want
the same language, the Judiciary
Committee broke from the normal
hearing and went into a work session
with the tribal representatives and
Staff present.

the committee directed
Margaret T Reinsch to separate
and distinguish the two
tribal courts in § 6209 and
incorporate their different
perspectives.

The Penobscot Nation wanted
to include language relating to
federally-recognized Indians and
to allow sentences of one year.
On the other hand, the
Passamaquoddy Tribe did ~~not~~
not want the changes.

There was an oversight ~~and~~
~~technical error~~, clearly not
intended by either the committee
or any party involved.

& language ~~stating that the~~
~~provisions~~ specifying exceptions
was ~~not~~ left out.

~~except~~
~~for~~ ~~except~~ in the

"except when committed against
a person who is not a member
of any federal-recognized Tribe
Indian tribe, nation, band
the proposed change

Simply ~~the Act~~ is clearly
stating that Tribal courts

and
technical
error

have no jurisdiction over Am-Indians
who commit crimes aginst ~~person~~ ^{a person} or
property,

or non-federally recognized Indians

2/2/98
Okre message
Closed
from airport
10:10 AM Mon.

No new message

~~called ISL~~

~~2/11/98~~

MITSC Cong Call

1/19/89

9:00 Am

Eric

Cush

Mull

Sunday Hodge

CO

Sunday - doesn't allow for 4-E

close in Dept policy - for serious block grant

Dept decision some allow

for mt policy + procedures

not enough - for 146

Dept to approve

has bill drafted -

def expand

- Title should adopt states
related

AG's - licensing laws within Gov't

Admin

give licensing authority to tribes

allow tribes to do own licensing

tribal ord do own licensing

Set standards -

flow to DHEW

146 - way w/ other Tribes in County

funnel through State Agency - some state

over sight through process - some get

direct IV to / Crown for smaller

Tribes - may or may not make sense

By his staff work done will send
draft ones to Sandy & Attorney
Start putting pieces together.

LR 2614 / want to necessary
Resolve

Draft proposal to withdraw as
a stage if clear to it is
unacceding - full back
love in the now.

LR 2614 Tribal Ct

didn't go for example
limited to Sheriff
getty person to know set

Gay State has said in past Tribal Ct is
limitedly jurisdiction - has some legal
State is order for foreign country
- Tribal Court should not be thrown
into category / basic distinction
between Tribal exercises jur
over the citizens

- Can be enforced
Tribal - subst matter but no
personal jurisdiction may need
to be adjudicated in state Ct

must / Talk to George see if its an issue
Gov must approval - no legislative veto

LR 2013 TAWIF benefits
want Tribe to be included in it

Gay - M of Justice's implementation which
is in fed law an exception for
high unemployment w/ Indian
Communities

Names of DHS people to talk to
IS for needed?

METSU + you - Supporting?
Fed gov of TAWIF desired expressly
for Indian Counties - included for
Indian Counties here in Wv.

Time limited - then ineligible
this grants an exception to that.

Ind Com support - desirable to
maintain Indian Counties

unemployment rate on Indian Country
to surrounding area higher?

less - 4x higher than work city

pendent - more difficult for
comparison

Gay - requires - State or Tribe shall disregard
Fed statutes if yes total 60 months
higher than 50% for that month
may apply sometimes + not at
other times

State needs to recognize this
is 4 Federal Statutes

Why in 27th before by
bill being - find out
more administratively

Come back on the 27th 4/24

action. Fed level needs to lower 25%

unemployment rates in F.F

Eric - what was he asking MFTSC to do?

- MFTSC's support

Cushman - need more info before MFTSC

can support

DHS - Judy Williams

Gray document unemployment rates on
annual basis Congress & Sounding Committee

Brenda Fields Commissioner of MFTSC

was TANF 2 yrs ago

a problem by Inst Tables across the Country
USGT ISSUE?

Peggy Riese - Fed level NATL

Committee doing some work on Courts &

Law - leg. being before this

legis / Natl effort - we may want

to Reg an eye on this.

Gray what are you for?

CUSH Uniform Crime of 5th

USCSA

Uniform Child Custody

JURISDICTION ACT

Parental Kidnapping Prevention Act

Now Uniform Act

can jurisdiction be switched from

one state to another

Complex + alot of resistance

Chart Justice list.
headed for Judiciary

Inherently overlapping Jurisdiction
b/w Tribal Ct & State Ct
Should be seamless

Jumping from State to State &
get a better decision.

Revised - Create class of jurisdictions
who know everybody
fuel mtg 27th

Economic Basis Tribal Gaming
CR 2610

Sales on Res except
being subject to Competitive advantages
for non Res - not politically acceptable
multistates - by Craty exemption only to
effect Tribal sales tax to the State
Can a Tribe? Tribe could adopt
Sales tax - add an additional level
of tax to the State
Revenues go to Tribe rather than State

Revenue sharing - specially attempt made for
happen in form of property tax
Tribes should get benefits.

Way to economic ^{strengthen} base
potential losses & gains
helps w/ Tribal Gov
not Individ.

See more info on it
Check on Revenue Sharing Concept
would his endorsement be?

- We would support pass -
We need to provide info

6/11/79: METS - any downside for the Tribe?
Supports met met - looking for
an unithedral regulatory Commission
one way of clarity revenue for the
Tribes - incentives for Tribal business
to locate on Res instead of off Res

Thoughtful sitting down brainstorming
to increase econ basis of our Tribes
exploration of various ways to broaden
econ base.

6/11/79: Support that Concept
→ will look at Rev Sharing
before 27th

Broader Fields -

Research Revenue Sharing -

and - Look at planning me by suby to
State Tax

- High States Bring also Gov (activity)

- what arguments get made re: change a
dept

entering zones - Total 5% tax
create incentives for industry & local m
Total land

proposal 2 MITS next June

Spencer 1/2 day from an
even bin of total bond go
Some economist involved

Wants some broad things
proposal dig the when?

LQ 2609

LQ 2641 Honested Exemption

Key -

"

"

2 forms of tax where Honested Tax Ex
doesn't give extra to tenants only
to owners of Real Estate only one part

No Corporate payment to Tribes

NOT significant amt of money being
TAX Incentive Financing =

Tribes big left by the side of the road

Tribes has poor owners - 105 prop

States -

Greg - total as municipality

not see forms for people to apply for tax break.

big 2 attempts of Legislature Educated @
for tobacco Econ.

spirit the Carrollton /
agreed to be separated /
State quick to us State as municipalities
break us to case per
State

CA 2609 - Craft Tail waggin the dog
Crayin power decides this will
upon us - why should we have to
pay to make some national party
State