An Act Concerning Offensive Names.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.
Reference to the Committee on Judiciary suggested and ordered printed.

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Senator PARADIS of Aroostook and
Representatives: BULL of Freeport, DAVIS of Falmouth, GERRY of Auburn, GOODWIN of Pembroke, LORING of the Penobscot Nation, SHOREY of Calais, TRUE of Fryeburg,
TWOMLEY of Biddeford.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 1 MRSA §1101, sub-§1, as enacted by PL 1977, c. 259, §1, is amended to read:

1. Offensive name. "Offensive name" means a name of a place which includes the designation "nigger" or the designation "squaw" as a separate word or as part of a word.

SUMMARY

This bill expands the law prohibiting the use of offensive names to designate places to also prohibit the use of the word "squaw."
OFFICE OF POLICY AND LEGAL ANALYSIS

Date: 2/3/00        Public Hearing: 1/28/00

To: Joint Standing Committee on Judiciary

From: Peggy Reinsch, Legislative Analyst

LD 2418 An Act Concerning Offensive Names.

SUMMARY

This bill expands the law prohibiting the use of offensive names to designate places to also prohibit the use of the word “squaw.”

TESTIMONY

Proponents

- Term used to degrade and dehumanize Native Women for many years
- Not an issue of political correctness, but about basic human decency and respect for one’s fellow citizens
- Word used to attack Native people
- Never an aggressive act for a people to exercise their right to self-determination
- Prohibit in place names, can’t prohibit use by businesses
- Has always been offensive
- The Year of the Native American Woman
- Not everyone offended – need to be sensitive to those who are offended
- Not a term of honor for the mountain
- Not an Indian word
- Perpetuates stereotypes
- Trauma caused from use of the “k word”
- We’ve been detailed looking at origin – Native history is oral, not what is written down – irrelevant
- Not removing the mountain itself – its beauty will always be there
- “Historical accounts” written by white scholars not acceptable
- Real issue is whether use of the word is disrespectful
- People who have been oppressed will internalize their hurt

Opponents

- Never heard anyone claim it is insulting
- Shouldn’t distort history
- Explore Indian folklore and legends
- 12 of 18 places in immediate Greenville area – will greatly affect
- Names given by Native Americans themselves
- Nothing in usage of “squaw” in Greenville area is derogatory
- Important to image
- A number of Native Americans in area who aren’t offended
- We want to maintain and revive the Native history
- Not universal agreement within Native Community that offensive
- Places named based on Native American legends – don’t lose
- Hatred and bigotry are expressed in many words – treating only the symptoms
COMMITTEE AMENDMENT "." TO LD 2418, An Act Concerning Offensive Names

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

Sec. 1. 1 MRSA §1101, sub-§1 is repealed and the following enacted in its place:

1. Offensive name. "Offensive name" means a name of a place that includes:

A. The designation "nigger" as a separate word or as part of a word; or

B. The designation “squaw” or “squa” as a separate word.

Sec. 2. 1 MRSA §1104 is amended to read:

§1104. Responsibility of municipal officers and county commissioners

The municipal officers of the municipality or the county commissioners responsible for the unorganized territory, in which a place is found pursuant to Title 5, section 4632, to have an offensive name, shall have the following responsibilities:

1. Reasonable actions. They shall take whatever reasonable actions are required to complete a change in the offensive name. They shall hold at least one public hearing on selecting a new name; and

2. Notification. They Unless a court order is issued under Title 5, section 4632, specifying a different deadline, within 6 months of the determination that the place has an offensive name, they shall notify provide notice of the new name to the Commissioner of Conservation, the Secretary of the United States Department of the Interior and other public agencies, boards, committees or other groups responsible for changing names of places and for ensuring that such name changes appear on maps and other public documents.
Summary

This amendment clarifies that use of “squaw” or “squa” as a separate word in the name of a place is offensive, and the name of that place must be changed.

The municipal officers, if the place is within a municipality, or the county commissioners, if the place is located in unorganized territory, must take reasonable steps to complete a change in the name. This amendment requires them to hold at least one public hearing on selecting a new name.

Current law provides for a court to order a name change within 90 days if there is no agreement reached between the Human Rights Commission and the municipal officers or the county commissioners, as applicable. This amendment requires the notification about the new name to take place within 6 months of the determination that a place name is offensive if there is no court order specifying a different deadline.
Aroostook Band of Micmacs

Recognition of the Year 2000 as the Year of the Native Woman and Cessation of Use for the Offensive Term Squaw

Resolution #001-2000-01

Whereas: the Aroostook Band of Micmacs and are federally recognized Native American Community, and

Whereas: we recognize our existence is based on the strength and well being of our Native Women, and

Whereas: our culture and heritage acknowledges Native Women as the cohesive force that is the foundation of family relationships and community alliances, and

Whereas: Native Women are the givers of life and their well-being including mentally, physically, emotionally and spiritually determine the direction of the next seven generations,

We Therefore: resolve to declare the Year 2000 as the Year of the Native Women and we request the State of Maine and the Federal government to recognize our declaration, and to

Respect our Native Women by banning the use of demoralizing, dehumanizing terms, which for hundreds of years has been used to subjugate and dismantle the fibers of a healthy Native family and society.

Approved:

William Phillips
Tribal Chief

Steve Phillips
Vice-Chief

Robert Murray
Secretary

Fred Peter-Paul
Council Member

Mary Sampas
Council Member

Viola Murphy
Council Member

Blanche Joesl
Council Member

Dora Dow
Council Member

Fred Getchell
Treasurer

Prescott
Council Member

Linda Callanan
Council Member

Georgia Sharp
Council Member

absent

absent
RECOGNITION OF THE 
YEAR 2000 AS THE 
YEAR OF THE NATIVE WOMEN AND THE 
REMOVAL OF THE OFFENSIVE TERM SQUAW 
RESOLUTION #19-2000

WHEREAS, the Passamaquoddy Tribe a federally recognized Tribe in the State of Maine with a membership population of 3300 people; and

WHEREAS, we recognize our existence is based on strength and well-being of our Native Women; and

WHEREAS, our culture and heritage acknowledges Native Women as the cohesive force that is the foundation of family relationships and community alliances, and

WHEREAS, Native Women are the givers of life and their well-being including mentally, physically, emotionally and spiritually determine the direction of the next seven generations, and

THEREFORE, we the Passamaquoddy Tribe, declare the Year 2000 as the Year of the Native Women and request the State of Maine and the Federal Government to recognize our declaration; and

Respect our Native Women and stop the use of demoralizing, dehumanizing terms, which for hundreds of years has been used to subjugate and dismantle the fibers of a healthy Native family and society.

CERTIFICATION
I, the undersigned Clerk of the Joint Tribal Council of the Passamaquoddy Tribe, do hereby certify that a meeting of the Joint Tribal Council of the Passamaquoddy Tribe was held at the Pleasant Point Passamaquoddy Reservation, Perry, Maine on January 19, 2000, and do further certify that a quorum was present of the Joint Tribal Council of the Passamaquoddy Tribe and that the foregoing Resolution was circulated in writing to all members present and that the foregoing Resolution was duly moved, seconded and adopted by the affirmative vote of 11 members, who at the time of the vote constituted a majority of the 11 members of the Joint Tribal Council then present and voting.

ATTEST:
Mary J. Loeb/Nicholas/Joint Council Clerk

Date
Recognition of the Year 2000
As the
Year of the Native Women
And the
Removal of the Offensive Term Squaw
Resolution # 01-11-00-05

Whereas; the Penobscot Tribe a federally recognized Tribe in the State of Maine with a membership of 2129 people, and

Whereas; we recognize our existence is based on the strength and well being of our Native Women and

Whereas; our culture and heritage acknowledges Native Women as the Cohesive force that is the foundation of family relationships and community alliances, and

Whereas; Native Women are the givers of life and their well-being including mentally, physically, emotionally and spiritually determine the direction of the next seven generations, and

THEREFORE BE IT RESOLVED, that we the Penobscot Tribe, declare the year 2000 as the Year of the Native Women and we request of the State of Maine and the Federal government to recognize our declaration, and;

Respect our Native Women and stop the use of demoralizing, dehumanizing terms, which for hundreds of years has been used to subjugate and dismantle the fibers of a healthy Native family and society.

Certification
I, the undersigned as Clerk of the Tribal Council of the Penobscot Indian Nation do hereby certify that the Tribal Council of the Penobscot Indian Nation is comprised of 112 members, of whom 8 were present at a meeting held at Indian Island on the 11th day of January 2000, held in accordance with the schedule of Regular meetings of the Council of which all Council members received notice more than twenty - four hours in advance, and at which the Chief was present and presided, and that Certification I., the undersigned as Clerk of the Tribal Council of the Penobscot Indian Nation do hereby certify that the Tribal Council of the Penobscot Indian the foregoing Resolution was duly adopted by the affirmative vote of 8 Council members.

Dated: 1-13-00

Attest:

Linda Socoby, Tribal Clerk

Richard Hamilton, Chief
Penobscot Indian Nation
flint, rises out of the plateau of the island dominated by Moosehead Lake, as the cap is built up by the water and game of the southern point of the lake. Greenville with a hotel and Township, and lumbering is a hunter and in Squaw Mountain above the source of the land ash, the quartered waters of the Squaw Mountain. Arriving at the side it his exile to his kinship, by her fire and obeyed her rule, the name is not.

At 98.7 m. lies an area of ruins and her (salmo salar) waters. UNORGANIZED entered at 1877, and less than a century ago.
The township was organized as Rockcastle Plantation in 1811, and it was incorporated as the town of Greenville.

Legend of Squaw Mtn.

In 1831, there was a great thinker of wisdom and kindness. His name was Thomas. He was known for his wisdom and kindness and lived in the secluded mountains.

On his old age, hunting each day in the surrounding forests, he met a young woman named Betula, who he followed him to bring back to his home. Since he had been the cause of her death, she begged him to return to her. He refused her request. Since the summit of the mountain, he called the mountain by the name it now bears officially.

Taken from the 1977 copy of "WRITE: A GUIDE "DON " EAST!"
AUGUSTA — "This is a historic occasion, a small victory in a long-standing war," said Sherri Mitchell of the Penobscot Nation, minutes after the House voted 129-17 to pass a bill which will ban the use of "squaw" from place names in Maine. LD 2418 was written by Passamaquoddy tribal Rep. Donald G. Sockomah and is expected to be passed by the Senate on Thursday.

If passed, the bill would remove the word from 25 areas, the best known being Squaw Mountain. It would not affect private businesses.

Indian history is based on storytelling, and Mitchell was one of a dozen women who told the Judiciary Committee at a January public hearing how the word "squaw" had caused humiliation for 100 years and had become synonymous with female genitalia. Several told stories of being sur-

Esther Atten of Indian Island urges legislators to pass a bill Wednesday at the State House in Augusta. The measure, which was passed in the House and is expected to pass in the Senate, would ban the use of the word "squaw" in public place names.

(AP Photo by Robert F. Bukaty)
House resoundingly rejects 'squaw' name

Long-sought by Indians, bill likely to pass in Senate today; won't affect private firms

House, from Al

ound in Old Town by whites who performed their version of an Indian dance while degrading the woman as "squaws." The personal testimony brought a 12-1 vote of support from the committee.

On the floor of the House on Wednesday, Rep. Donna Loring, the legislative representative from the Penobscot Nation, said Indian women had become "invisible" to the white population. "You don't understand how we are offended and dehumanized" by the state's use of a word which Indian women consider "dirty, degrading and shameful," she said. She said ignorance and bigotry "cannot last under the light of education. Turn on that light."

After the vote, the somber Loring exhibited a rare smile as she praised her fellow legislators. "This says that Maine people are receptive, not closed-minded. The state is saying that we are human beings, we have feelings, and we are valuable. This is a huge step," she said.

But supporters carried the day. Rep. Richard H. Thompson, D-Naples, the co-chairman of the Judiciary Committee, said after hearing the "heart-wrenching" stories of Indian women at the January public hearing, he decided that "Maine should do the right thing."

Rep. Matthew Dunlap, D-Old Town, said he valued the Indian population as fellow citizens and asked the House to "put away your prejudices. This does no harm and much good."

If the pope can apologize for his church's misdeeds, the state can apologize to its Indians "on a simpler, smaller scale," said Rep. Daniel B. Williams, D-Durham.

As a former "Skowhegan Indian" football player, Rep. Robert W. Nutting, R-Oakland, said he thought the idea was baseless a few months ago, but he came around. Rep. John T. Buck, R-Yarmouth, also initially dismissed the idea as part of the "political correctness" movement, but admitted that he changed his mind as his consciousness was raised.

With a Canadian Indian grandmother, Rep. William R. Cote, D-Lewiston, said he learned early that "squaw" was an offensive term.

Rep. John L. Martin, D-Eagle Lake, is one of the few legislators still in the House who remembers removing the word "nigger" from the name of some state lakes, ponds and islands in the early 1970s. "Now, no one refers to the old names anymore. It will be the same thing in Greenville," he said. As someone deeply offended by French jokes, Martin said he had an inkling how offensive the word "squaw" was to Indians.

Teacher Linda Rogers McKee, D-Wayne, said, "This will be good for every student in Maine and they are watching what we do today. This could be the first step toward multicultural education."
Aroostook bows to edict, renames six Negro Lakes

By Margaret Smith
NEWS Presque Isle Bureau
CARIBOU — The Aroostook County Commissioners have, upon petition by the Maine Human Rights Commission (MHRC), renamed the six so-called "Negro" Brook wilderness lakes of northwestern Aroostook County.

The reason based upon Maine statute: although referred to as Negro Brook Lakes on the maps, the six lakes are called "Negro" Brook Lakes by area residents, "A name properly classified as offensive..."

The county commissioners, accordingly, renamed the lakes during an April meeting in Caribou, the six "Pelletier" Brook Lakes. The name honors a three-generation Pelletier family, three of whom have been wardens with the Maine Fish and Game Department for periods up to 15 years, and still are.

David V. Bell, chief administrative officer for the county commissioners, has notified Ms. Francia Davis, compliance officer for the MHRC at Augusta, of the change. Concurring in the choice of a new name for the lakes were G. Ronald McClusky of Monticello and Joel LeBlanc of Madawaska, the two other county commissioners.

A complaint, pursuant to the statute on offensive names, came to the county commissioners through Sarah Redfield, assistant attorney general of Maine, last October. Ms. Redfield stated that she believed that the names offensive and that she had requested that the MHRC investigate and take such steps as were available to have the names changed.

Bell said he had no inkling how attention was first drawn to the "objectionable names". The MHRC said it had received a complaint last May 19.

The first, second, third and fourth so-called Negro Brook Lakes, lie in Township 16, Range 9. The fifth and sixth lakes are in Township 15, Range 9. All of the lakes are connected by Negro Brook, which appears to rise from so-called Little Black Pond and flows in a general northerly direction to empty into the St. John River.

First Negro Lake is situated about eight miles south of the community of St. Francis near the Canadian border. All of the lakes are located several miles west of Route 11, the "back street" highway from Sheridan northerly to Fort Kent.

As Paul D. Pierce, investigator for the MHRC, phrased it: The first three lakes may be seen by leaving U.S. Route 1 north, 16 miles from Sylvio Martin & Son's seed potato barn at St. Johns, at Chamberlain's Gulf onto a dirt tote road...Pierce also noted: three brownish white rabbits and a huge moose with long skinny legs were encountered on the way to the lakes. No logging trucks or signs of humans — with the exception of a reddish house on the right — were seen.

It was Pierce's recommendation to the Human Rights Commission that the commission issue the finding that the names of these six lakes are offensive.

Commissioner Bell told the NEWS that the commission had chosen the Pelletier name since the family has long been involved as wardens and wilderness guides in the area.

A third generation family member, Maynard Pelletier of Caribou, said his grandfather, Nizaire Pelletier came to the St. Francis area from Indian Island in Old Town, Me., in the early 1800's at the age of 13. Nizaire first worked as a cook's assistant for Shepard Cary at Seven Islands, head of the St. John River. Later, he established a ferry across the Allagash River, which he and his descendants operated for 31 summers.