



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 655

H.P. 485

House of Representatives, February 17, 2011

### An Act To Provide Tribal Representation in the Senate

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative TUTTLE of Sanford.  
Cosponsored by Senator GERZOFSKY of Cumberland and  
Representatives: BEAVERS of South Berwick, CLARK of Millinocket, MAKER of Calais,  
MITCHELL of the Penobscot Nation, SOCTOMAH of the Passamaquoddy Tribe, WOOD of  
Sabattus, Senators: SAVIELLO of Franklin, THIBODEAU of Waldo.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 3 MRSA §1**, as amended by PL 2009, c. 636, Pt. A, §1, is further amended  
3 by adding at the end a new paragraph to read:

4 Beginning with the 126th Legislature, and biennially thereafter, the Tribal Clerk of  
5 the Penobscot Indian Nation, the Tribal Clerk of the Passamaquoddy Tribe, the Tribal  
6 Clerk of the Houlton Band of Maliseet Indians or the Aroostook Micmac Council shall  
7 furnish, on or before the day preceding the meeting of the Legislature, to the Secretary of  
8 the preceding Senate a certification of the name and residence of the Senate Tribal  
9 Representative-elect of the Penobscot Indian Nation, the Passamaquoddy Tribe, the  
10 Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs to the Legislature.  
11 The Senate Tribal Representative rotates every 2 years among the Penobscot Indian  
12 Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians and the  
13 Aroostook Band of Micmacs, as determined by agreement among the nation, tribe and  
14 bands.

15 **Sec. 2. 3 MRSA §2**, as amended by PL 2009, c. 636, Pt. A, §2, is further amended  
16 by adding after the 8th paragraph a new paragraph to read:

17 Beginning with the 126th Legislature, the Senate Tribal Representative elected to  
18 represent the Penobscot Indian Nation, the Passamaquoddy Tribe, the Houlton Band of  
19 Maliseet Indians or the Aroostook Band of Micmacs at the Legislature is entitled to  
20 receive a salary equal to the salary of members of the Senate and the House of  
21 Representatives, including a cost-of-living adjustment, for each regular session and  
22 allowance for meals, constituent service, housing and travel expenses to the same extent  
23 as members of the Senate for attendance at each legislative session or authorized  
24 committee meeting. For the duration of any special session of the Legislature, the Senate  
25 Tribal Representative is entitled to receive the same per diem payment and allowances,  
26 including housing, meal and travel expenses, as any member of the Senate and House of  
27 Representatives.

28 **Sec. 3. 3 MRSA §21-B** is enacted to read:

29 **§21-B. Senate Tribal Representative**

30 **1. Rights and privileges.** The Senate Tribal Representative elected to represent the  
31 Penobscot Indian Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet  
32 Indians or the Aroostook Band of Micmacs at the Legislature:

33 A. Must be furnished a seat on the floor of the Senate;

34 B. With the consent of the President of the Senate, must be granted the privilege of  
35 speaking on the floor of the Senate on pending legislation;

36 C. Must be appointed to sit as a nonvoting member of a joint standing committee;  
37 and

38 D. May be granted other rights and privileges approved by the Senate.

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**SUMMARY**

2           This bill establishes a Senate Tribal Representative to represent the Penobscot Indian  
3 Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians or the  
4 Aroostook Band of Micmacs at the Legislature. The position rotates among the nation,  
5 tribe and bands every 2 years as determined by agreement among the nation, tribe and  
6 bands. The position is established beginning in the 126th Legislature. The Senate Tribal  
7 Representative must be furnished a seat on the floor of the Senate, must be granted the  
8 privilege of speaking on the floor of the Senate on pending legislation and must be  
9 appointed to sit as a nonvoting member of a joint standing committee. The Senate Tribal  
10 Representative may be granted other rights and privileges approved by the Senate. The  
11 Senate Tribal Representative serves for 2 years and is entitled to receive a salary and  
12 allowances equal to the salary and allowances received by members of the Senate.