

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations**

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

**Sec. 1. 5 MRSA §12004-I, sub-§74-J** is enacted to read:

**74-J.**

<u>Racial and Ethnic Populations</u>	<u>Permanent Commission on the Status of Racial and Ethnic Populations</u>	<u>Not Authorized</u>	<u>5 MRSA §25001</u>
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**Sec. 2. 5 MRSA Pt. 31** is enacted to read:

### **PART 31**

#### **PERMANENT COMMISSION ON THE STATUS OF RACIAL AND ETHNIC POPULATIONS**

#### **CHAPTER 631**

#### **PERMANENT COMMISSION ON THE STATUS OF RACIAL AND ETHNIC POPULATIONS**

#### **§ 25001. Commission established**

The Permanent Commission on the Status of Racial and Ethnic Populations, established by section 12004-I, subsection 74-J and referred to in this chapter as "the commission," is an independent commission. The commission shall promote, carry out and coordinate programs designed to improve opportunities for racial and ethnic populations in the State.

#### **§ 25002. Membership**

The commission consists of:

**1. Members of the Senate.** Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

**2. Members of the House of Representatives.** Three members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature; and

**3. Public members.** The following members representing the public:

A. A representative of a community economic development organization appointed by the President of the Senate;

B. A representative of an economic policy organization appointed by the Speaker of the House;

C. The district director of the Maine District Office of the United States Small Business Administration, or the district director's designee;

D. The president of the Maine State Chamber of Commerce or its successor organization, or the president's designee;

E. Two members of the public that represent racial and ethnic populations in the State, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House; and

F. Three members of the public appointed by the Governor representing each of the following: the elderly, low-income people and youth.

The commission shall invite the participation, as a voting member, of a representative of a federally recognized Indian tribe in the State.

In making appointments, the Governor, the President of the Senate and the Speaker of the House shall consider and appoint residents of the State who have a knowledge of problems facing racial and ethnic populations in the State, who have experience in advocacy relating to racial and ethnic populations' issues and who provide leadership in programs or activities that improve opportunities for racial and ethnic populations. The members of the commission must be chosen from throughout the State, and the majority of members must be members of racial and ethnic populations.

### **§ 25003. Term of office**

Members of the commission are appointed for 2-year terms. A member may serve multiple terms.

Members of the commission may serve after the expiration of their terms until their successors have taken office. The Governor, the President of the Senate and the Speaker of the House may terminate the membership of their respective appointees for good cause. The reason for the termination must be communicated in writing to a member whose membership is terminated. The membership of any member of the commission must be terminated if the member is absent from 3 consecutive meetings without communicating good cause to the chair of the commission.

### **§ 25004. Vacancies**

A member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed serves only for the remainder of that term and must be appointed by the same appointing authority. Any vacancy on the commission does not affect its powers.

### **§ 25005. Chair**

The Governor shall select a chair from among the members of the commission. The chair is authorized to appoint subcommittees.

### **§ 25006. Powers and duties**

The commission shall advise and consult with the Governor and the Legislature about, and assist them in improving, opportunities for historically disadvantaged racial and ethnic populations in the State by:

**1. Research; policy proposals.** Carrying out research necessary to determine the status of historically disadvantaged racial and ethnic populations in the State and considering policy proposals. The commission shall:

A. Study income levels of and opportunities available to historically disadvantaged racial and ethnic populations in the State and examine quantitative and qualitative data associated with those populations regarding business ownership, household assets, debts and income, housing, employment and access to inherited wealth, capital and benefits; and

B. Consider policy proposals to diversify business ownership to include historically disadvantaged racial and ethnic populations in the State and to bridge the gaps in wealth acquisition, including, but not limited to, proposals to:

(1) Develop a program to provide to aspiring and new business owners technical assistance workshops and training on topics such as the creation of business plans, accessing capital and funding and securing job training;

(2) Provide assistance to vendors to become registered with the State and create a clearinghouse to serve as a resource for state-registered vendors seeking government contracts; and

(3) Establish an office to coordinate the educational and technical assistance needs of emerging small businesses and to provide information to small businesses seeking to open, operate or expand their businesses;

**2. Activities.** Promoting and coordinating activities on state and local levels designed to meet the problems of historically disadvantaged racial and ethnic populations in the State;

**3. Advocate.** Serving as an advocate for historically disadvantaged racial and ethnic populations in making recommendations on proposed budgetary, legislative and policy actions to the Governor, the Legislature and other officials of the State and the Federal Government with respect to state and federal policies, programs and other activities affecting or relating to historically disadvantaged racial and ethnic populations in the State;

**4. Information.** Informing the public about the presence or absence of opportunities for historically disadvantaged racial and ethnic populations in the State;

**5. Meetings.** Conducting public hearings, conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to the problems of historically disadvantaged racial and ethnic populations; and

**6. Reports.** Beginning January 1, 2020 and biennially thereafter, reporting to the Governor and the Legislature concerning the work and interests of the commission.

The commission may accept funds from the Federal Government, from a political subdivision of the State or from an individual, a foundation or a corporation and may expend funds for purposes that are consistent with this chapter. Funds received under this section must be deposited in a nonlapsing Other Special Revenue Funds account within the Department of the Secretary of State to support the work of the commission.

#### **§ 25007. Meetings**

The commission shall meet at the call of the chair not less than 4 times each year.

#### **§ 25008. Staff support**

The Secretary of State shall provide staffing support as required.

**Sec. 3. Initial members.** Notwithstanding the Maine Revised Statutes, Title 5, section 25003, of those public members first appointed to the Permanent Commission on the Status of Racial and Ethnic Populations, one appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House must be appointed for one-year terms. The term of office of each member must be designated at the time of appointment.

**Sec. 4. Initial report.** No later than January 1, 2020, the Permanent Commission on the Status of Racial and Ethnic Populations established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J shall submit a report that includes the commission's findings and recommendations on the commission's research and consideration of policy proposals pursuant to Title 5, section 25006, subsection 1, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

## **SUMMARY**

This bill creates the Permanent Commission on the Status of Racial and Ethnic Populations to promote, carry out and coordinate programs designed to improve opportunities for racial and ethnic populations.