



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 394

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H.P. 269

House of Representatives, February 12, 2013

**An Act To Add Members of the Aroostook Band of Micmacs to the  
Maine Indian Tribal-State Commission and Add Corresponding  
Members for the State**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative WILLETTE of Mapleton.  
Cosponsored by Senator JACKSON of Aroostook.

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

2 **Sec. 1. 30 MRSA §6212, sub-§1**, as amended by PL 2009, c. 384, Pt. F, §1 and  
3 affected by §4, is further amended to read:

4 **1. Commission created.** The Maine Indian Tribal-State Commission is established.  
5 The commission consists of ~~13~~ 17 members, ~~6~~ 8 to be appointed by the Governor, subject  
6 to review by the Joint Standing Committee on Judiciary and to confirmation by the  
7 Legislature, 2 to be appointed by the Aroostook Band of Micmacs, 2 to be appointed by  
8 the Houlton Band of Maliseet Indians, 2 to be appointed by the Passamaquoddy Tribe, 2  
9 to be appointed by the Penobscot Nation and a chair, to be selected in accordance with  
10 subsection 2. The members of the commission, other than the chair, each serve for a term  
11 of 3 years and may be reappointed. In the event of the death, resignation or disability of a  
12 member, the appointing authority may fill the vacancy for the unexpired term.

13 **Sec. 2. 30 MRSA §6212, sub-§2**, as amended by PL 2009, c. 384, Pt. F, §2 and  
14 affected by §4, is further amended to read:

15 **2. Chair.** The commission, by a majority vote of its ~~12~~ 16 members, shall select an  
16 individual who is a resident of the State to act as chair. In the event of the death,  
17 resignation, replacement or disability of the chair, the commission may select, by a  
18 majority vote of its ~~12~~ 16 remaining members, a new chair. When the commission is  
19 unable to select a chair within 120 days of the death, resignation, replacement or  
20 disability, the Governor, after consulting with the chiefs of the Aroostook Band of  
21 Micmacs, the Houlton Band of Maliseet Indians, the Penobscot Nation and the  
22 Passamaquoddy Tribe, shall appoint an interim chair for a period of one year or for the  
23 period until the commission selects a chair in accordance with this section, whichever is  
24 shorter. The chair is a full-voting member of the commission and, except when appointed  
25 for an interim term, ~~shall serve~~ serves for 4 years.

26 **Sec. 3. 30 MRSA §6212, sub-§3**, as amended by PL 2009, c. 384, Pt. F, §3 and  
27 affected by §4, is further amended to read:

28 **3. Responsibilities.** In addition to the responsibilities set forth in this Act, the  
29 commission shall continually review the effectiveness of this Act and the social,  
30 economic and legal relationship between the Aroostook Band of Micmacs, the Houlton  
31 Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and the  
32 State and shall make such reports and recommendations to the Legislature, the Aroostook  
33 Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and  
34 the Penobscot Nation as it determines appropriate.

35 ~~Nine~~ Twelve members constitute a quorum of the commission and a decision or action of  
36 the commission is not valid unless ~~7~~ 9 members vote in favor of the action or decision.

37 **Sec. 4. 30 MRSA §6212, sub-§6, ¶¶B and C**, as enacted by PL 2009, c. 636, Pt.  
38 C, §3 and affected by §4, are amended to read:

39 B. The Passamaquoddy Tribe; ~~and~~

40 C. The Penobscot Nation; ~~and~~

