



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 890

S.P. 290

In Senate, March 7, 2017

**An Act To Include a Representative of the Aroostook Band of
Micmacs in the House of Representatives**

Reference to the Committee on State and Local Government suggested and ordered printed.

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

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator CARPENTER of Aroostook.
Cosponsored by Representative STEWART of Presque Isle and
Representatives: BEAR of the Houlton Band of Maliseet Indians, JOHANSEN of Monticello,
McCREA of Fort Fairfield.

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

2 **Sec. 1. 3 MRSA §1, last ¶**, as amended by PL 2009, c. 636, Pt. A, §1, is further
3 amended to read:

4 The Tribal Clerk of the Penobscot Indian Nation shall, on or before the day preceding
5 the meeting of the Legislature, furnish to the Clerk of the preceding House of
6 Representatives a certification, under the seal of the Nation, of the name and residence of
7 the Representative-elect of the Penobscot Indian Nation to the Legislature. The Tribal
8 Clerk of the Passamaquoddy Tribe of the reservation from which the Representative-elect
9 of that tribe has been chosen shall, on or before the day preceding the meeting of the
10 Legislature, furnish the Clerk of the preceding House of Representatives a certification of
11 the name and residence of the Representative-elect of the Passamaquoddy Tribe to the
12 Legislature. Beginning with the 126th Legislature, the Tribal Clerk of the Houlton Band
13 of Maliseet Indians shall, on or before the day preceding the meeting of the Legislature,
14 furnish to the Clerk of the preceding House of Representatives a certification of the name
15 and residence of the Representative-elect of the Houlton Band of Maliseet Indians to the
16 Legislature. Beginning with the 129th Legislature, the Tribal Clerk of the Aroostook
17 Band of Micmacs shall, on or before the day preceding the meeting of the Legislature,
18 furnish to the Clerk of the preceding House of Representatives a certification of the name
19 and residence of the Representative-elect of the Aroostook Band of Micmacs to the
20 Legislature.

21 **Sec. 2. 3 MRSA §2, 9th ¶**, as amended by PL 2009, c. 636, Pt. A, §2, is further
22 amended to read:

23 The member of the Penobscot Indian Nation, the member of the Passamaquoddy
24 Indian Tribe ~~and, beginning with the Second Regular Session of the 125th Legislature,~~
25 the member of the Houlton Band of Maliseet Indians and, beginning with the 129th
26 Legislature, the member of the Aroostook Band of Micmacs elected to represent their
27 tribes at the Legislature are entitled to receive a salary equal to the salary of members of
28 the Senate and the House of Representatives, including a cost-of-living adjustment, for
29 each regular session and allowance for meals, constituent service, housing and travel
30 expenses to the same extent as members of the House of Representatives for attendance at
31 each legislative session or authorized committee meeting. For the duration of any special
32 session of the Legislature, they are entitled to receive the same per diem payment and
33 allowances, including housing, meal and travel expenses, as any member of the Senate
34 and House of Representatives.

35 **Sec. 3. Contingent effective date.** This Act does not take effect unless, within
36 90 days of the adjournment of the First Regular Session of the 128th Legislature, the
37 Secretary of State receives written certification by the Tribal Council of the Aroostook
38 Band of Micmacs that the band has agreed to the provisions of this Act, copies of which
39 must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of
40 the House of Representatives and the Revisor of Statutes.

41 In no event may this Act become effective until 90 days after the adjournment of the
42 First Regular Session of the 128th Legislature.

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SUMMARY

2 This bill makes the statutory changes necessary to include a representative of the
3 Aroostook Band of Micmacs in the Maine House of Representatives beginning with the
4 129th Legislature. It requires the Tribal Clerk of the Aroostook Band of Micmacs to
5 furnish the outgoing Clerk of the House of Representatives with a certification of the
6 name and residence of the Representative-elect of the Aroostook Band of Micmacs to the
7 Legislature. It also authorizes the Representative of the Aroostook Band of Micmacs to
8 be compensated in the same manner as other members of the House of Representatives.
9 It also provides that the changes do not take effect unless the Aroostook Band of
10 Micmacs approves them and provides certification of that approval to the Secretary of
11 State within 90 days of the adjournment of the First Regular Session of the 128th
12 Legislature.