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**LABOR AND HOUSING**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 582, L.D. 777, Bill, “An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations”

Amend the bill by striking out the title and substituting the following:

**'An Act To Establish the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations'**

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

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

**74-J.**

<u>Racial,</u>	<u>Permanent</u>	<u>Not Authorized</u>	<u>5 MRSA §25001</u>
<u>Indigenous and</u>	<u>Commission on the</u>		
<u>Maine Tribal</u>	<u>Status of Racial,</u>		
<u>Populations</u>	<u>Indigenous and</u>		
	<u>Maine Tribal</u>		
	<u>Populations</u>		

**Sec. 2. 5 MRSA Pt. 31** is enacted to read:

**PART 31**

**RACIAL, INDIGENOUS AND MAINE TRIBAL POPULATIONS**

**CHAPTER 631**

**PERMANENT COMMISSION ON THE STATUS OF RACIAL, INDIGENOUS AND MAINE TRIBAL POPULATIONS**

**COMMITTEE AMENDMENT**

1 **§25001. Commission established**

2 The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal  
3 Populations, established by section 12004-I, subsection 74-J and referred to in this  
4 chapter as "the commission," is an independent commission. The commission shall  
5 promote, implement and coordinate programs that create and improve opportunities and  
6 incorporate the goal of eliminating disparities for historically disadvantaged racial,  
7 indigenous and tribal populations in the State.

8 **§25002. Membership**

9 **1. Membership.** To the extent possible, the commission must consist of members  
10 who represent the diverse racial, indigenous and tribal populations in the State. In  
11 making appointments, the Governor, the President of the Senate and the Speaker of the  
12 House shall consider and appoint residents of the State who have a knowledge of  
13 problems facing racial, indigenous and tribal populations in the State, who have  
14 experience in advocacy relating to racial, indigenous and tribal populations' issues and  
15 who provide leadership in programs or activities that create and improve opportunities for  
16 racial, indigenous and tribal populations. The commission consists of the following  
17 members:

18 A. Members appointed by the President of the Senate:

19 (1) A representative of a statewide organization promoting civil rights that has  
20 racial justice or racial equity as its primary mission;

21 (2) A representative of an economic policy organization or other data-focused  
22 organization;

23 (3) A representative of an organization with expertise in legal and policy matters  
24 related to public benefit programs that assists individuals with low incomes;

25 (4) A faculty member of a college or university in this State specializing in the  
26 history, the culture or the civil and human rights of historically disadvantaged  
27 racial, indigenous and tribal populations; and

28 (5) A representative of organized labor with expertise in labor rights and  
29 working conditions;

30 B. Members appointed by the Speaker of the House:

31 (1) A representative of an immigrant or refugee rights organization;

32 (2) A representative from a housing or homelessness advocacy organization;

33 (3) A representative of a community development financial institution; and

34 (4) A representative of a historically disadvantaged racial population of the State;

35 C. Members appointed by the Governor:

36 (1) A member of the public representing the faith-based community; and

37 (2) A member of the public representing youth; and

1            D. Other members:

2                    (1) A representative from each of the federally recognized Indian tribes in the  
3                    State.

4            **§25003. Term of office**

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

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

14           **§25004. Vacancies**

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

19           **§25005. Chair**

20                   The commission shall select 3 chairs from among the members of the commission.  
21                   The chairs are authorized to appoint subcommittees.

22           **§25006. Department input**

23                   The commission shall seek input from the Department of Labor, the Department of  
24                   Health and Human Services, the Department of Economic and Community Development  
25                   and the Department of Education, as well as any other experts, in carrying out its duties.

26           **§25007. Duties and powers**

27                   **1. Commission duties.** The commission shall:

28                   A. Carry out research necessary to determine the status of historically disadvantaged  
29                   racial, indigenous and tribal populations, including the study of income levels of and  
30                   opportunities available to historically disadvantaged racial, indigenous and tribal  
31                   populations and the examination of quantitative and qualitative data associated with  
32                   those populations regarding business ownership, household assets, debts and income,  
33                   housing, employment, education, health care and access to wealth, capital and  
34                   benefits;

35                   B. Seek public input by conducting public hearings annually to obtain information  
36                   about the needs of and solutions to the problems faced by historically disadvantaged  
37                   racial, indigenous and tribal populations; and

1 C. Beginning January 1, 2020, and biennially thereafter, report to the Governor and  
2 the Legislature concerning the work and interests of the commission, including a  
3 summary of public comments obtained pursuant to paragraph B.

4 **2. Commission powers.** The commission may:

5 A. Promote and coordinate activities on state and local levels designed to meet the  
6 problems faced by historically disadvantaged racial, indigenous and tribal  
7 populations;

8 B. Inform the public about the presence or absence of opportunities for historically  
9 disadvantaged racial, indigenous and tribal populations;

10 C. Conduct additional public hearings, conferences, workshops and other such  
11 meetings to obtain information about, discuss and publicize the needs of and  
12 solutions to the problems faced by historically disadvantaged racial, indigenous and  
13 tribal populations;

14 D. Submit to the Legislature, at the start of each regular session, such legislation as  
15 the commission determines appropriate for improving opportunities and eliminating  
16 disparities for historically disadvantaged racial, indigenous and tribal populations in  
17 the State;

18 E. Advise and consult with the Chief Justice of the Supreme Judicial Court and other  
19 officials of the State and the Federal Government with respect to state and federal  
20 policies, programs and other activities affecting or relating to historically  
21 disadvantaged racial, indigenous and tribal populations; and

22 F. Advise and consult with the Governor and the Legislature about, and assist them  
23 in improving, opportunities for historically disadvantaged racial, indigenous and  
24 tribal populations.

25 **§25008. Meetings**

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

27 **§25009. Administrative support**

28 The Commissioner of Labor shall provide administrative support to the commission  
29 as required.

30 **§25010. Federal and state funds**

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

36 **Sec. 3. Initial members.** Notwithstanding the Maine Revised Statutes, Title 5,  
37 section 25003, of those public members first appointed to the Permanent Commission on  
38 the Status of Racial, Indigenous and Maine Tribal Populations, one appointed by the  
39 Governor, one appointed by the President of the Senate and one appointed by the Speaker

1 of the House must be appointed for one-year terms. The term of office of each member  
2 must be designated at the time of appointment.

3 **Sec. 4. Initial report.** No later than January 1, 2020, the Permanent Commission  
4 on the Status of Racial, Indigenous and Maine Tribal Populations established in the  
5 Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J shall submit a report  
6 that includes the commission's findings and recommendations on the commission's  
7 research and consideration of policy proposals pursuant to Title 5, section 25007,  
8 including suggested legislation, for presentation to the Second Regular Session of the  
9 129th Legislature.

10 **Sec. 5. Appropriations and allocations.** The following appropriations and  
11 allocations are made.

12 **LABOR, DEPARTMENT OF**  
13 **Racial, Indigenous and Maine Tribal Populations N329**

14 Initiative: Allocates funds to allow expenditure of any revenues received.

15	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2019-20</b>	<b>2020-21</b>
16	All Other	\$500	\$500
17			
18	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
19			

20 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
21 section number to read consecutively.

22 **SUMMARY**

23 This amendment replaces the bill. It changes the name of the Permanent Commission  
24 on the Status of Racial and Ethnic Populations to the Permanent Commission on the  
25 Status of Racial, Indigenous and Maine Tribal Populations and makes corresponding  
26 changes throughout the amendment to capture that change. It removes legislative  
27 members from the commission and makes additional changes to the public members of  
28 the commission. It further defines the duties and powers of the commission, including  
29 providing the commission with the authority to submit legislation at the start of each  
30 regular session. The amendment adds an appropriations and allocations section.

31 **FISCAL NOTE REQUIRED**

32 **(See attached)**