



Shenna Bellows  
Secretary of State

## *Department of the Secretary of State*

### **JOINT STANDING COMMITTEE ON JUDICIARY**

Testimony of Shenna Bellows Secretary of State

Testifying in Favor of

L.D. 1835 "An Act to Require the State to Notify Indian Tribes and Indian Nations When New Laws Are Enacted That Need to Be Certified "

*January 10, 2024*

Senator Carney, Representative Moonen and Members of the Joint Standing Committee on Judiciary, my name is Shenna Bellows, and I am Secretary of State. I am testifying in favor of L.D. 1835 with recommendations for amendment.

I am grateful to the sponsor and the committee for your interest and willingness to explore how the State of Maine best communicates with the tribal nations regarding legislation that impacts them, and how in turn we receive communications from the tribal nations certifying that legislation. We are committed to working with the Legislature and the tribal nations to develop a law that more fully recognizes tribal sovereignty and ensures strong official communications between the State of Maine and each tribal nation.

When I took office in 2021, it was brought to my attention that a procedure for certifications had neither been developed nor executed by the office in many years. Our central office diligently tracked any certification notices that were received, but there was no process for official notification to the tribal nations of either the adjournment date of the Legislature or the certifications required. We believe that a notification process that works for tribal nations should be formalized either in statute or official agreement and should be done in partnership and with respect for the sovereignty of the tribal nations. This is particularly important to ensure continuity beyond the tenure of any particular Secretary.

In addition to the current language, we would make one suggestion – to add to subsection 3, subsection 6 that the Secretary of State also transmit certified copies of certification to the Revisor of the Statutes, which is a practice we already do and would make sense to formalize.

Additionally, we would encourage the committee to think about whether the 60 days is enough time to allow the tribes to adequately take any legislation under consideration given their internal processes for community input and decision-making. We would recommend the committee consult with representatives from each Tribal Nation to determine what time frame they would believe to be sufficient. We would fully support any time frame put forth by them.

Finally, we believe strongly that this committee, either in this bill or another bill, should provide a retroactive opportunity for certification of important legislation that moved through this committee in

the last session and was passed into law but was not certified. This avoids any future legal uncertainties.

I thank you for the opportunity to present testimony, and I would be happy to answer any questions.