

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

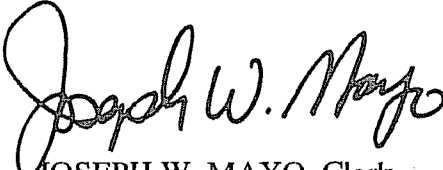
No. 1604

H.P. 1196

House of Representatives, January 3, 1994

**An Act to Clarify the Status of the Maine Indian Tribal-State
Commission.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Received by the Clerk of the House on December 29, 1993. Referred to the Committee on
Judiciary and 1200 ordered printed pursuant to Joint Rule 14.


JOSEPH W. MAYO, Clerk

Presented by Representative CASHMAN of Old Town.
Cosponsored by Senator PEARSON of Penobscot.

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

Sec. 1. 5 MRSA §12002, sub-§1, ¶E, as amended by PL 1985, c. 295, §3, is further amended to read:

E. Special study organizations as defined in subsection 4; and

Sec. 2. 5 MRSA §12002, sub-§1, ¶F, as enacted by PL 1985, c. 295, §3, is amended to read:

F. A joint standing committee of the Legislature or any joint select committee, composed exclusively of Representatives and Senators; and

Sec. 3. 5 MRSA §12002, sub-§1, ¶G is enacted to read:

G. The Maine Indian Tribal-State Commission, as established in Title 30, section 6212, subsection 1, as part of the Maine Indian Claims Settlement.

Sec. 4. 5 MRSA §12004-K, sub-§13, as enacted by PL 1993, c. 381, §8, is repealed.

STATEMENT OF FACT

Public Law 1993, chapter 381 placed citations for various boards and commissions in the Maine Revised Statutes, Title 5. This law added the Maine Indian Tribal-State Commission to the list of boards and commissions that are subject to the requirements of Title 5, chapter 379.

Created as part of the Maine Indian Claims Settlement of 1980, the Maine Indian Tribal-State Commission exists as the result of an agreement between the Passamaquoddy Tribe, the Penobscot Indian Nation and the State. The commission is not a state agency, but is a hybrid tribal-state entity.

This bill clarifies that the commission is not a "board" for purposes of Title 5, chapter 379 and is not therefore subject to the operational requirements and procedures established in that chapter.

This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.