

MAINE STATE LEGISLATURE

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Date: 6/5/19 Majority

L.D. 777
(Filing No. H- 493)

LABOR AND HOUSING

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

COMMITTEE AMENDMENT "A" 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	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
16	All Other	\$500	\$500
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>
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)



129th MAINE LEGISLATURE

LD 777

LR 322(02)

An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-493)
 Committee: Labor and Housing
 Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Appropriations/Allocations				
Other Special Revenue Funds	\$500	\$500	\$500	\$500

Fiscal Detail and Notes

This bill includes Other Special Revenue Funds base allocations of \$500 per year beginning in fiscal year 2019-20 to a newly created Racial, Indigenous and Maine Tribal Populations dedicated account established within the Department of Labor to allow for the expenditure of any revenues received from public and private sources to support the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations.

Additional costs to the Departments of Labor, Education, Health and Human Services and Economic and Community Development to provide input to the commission can be absorbed within existing budgeted resources.