

MAINE STATE LEGISLATURE

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Date: 4/13/24

(Filing No. S-695)

REPORT B

JUDICIARY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 344, L.D. 785, "An Act to Enact the Remaining Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act"

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

'An Act to Provide for a Tribal Representative from the Mi'kmaq Nation'

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

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

The Tribal Clerk of the Penobscot Indian Nation shall, on or before the day preceding the meeting of the Legislature, furnish to the Clerk of the preceding House of Representatives a certification, under the seal of the Nation, of the name and residence of the Representative-elect of the Penobscot Indian Nation to the Legislature. The Tribal Clerk of the Passamaquoddy Tribe of the reservation from which the Representative-elect of that tribe has been chosen shall, on or before the day preceding the meeting of the Legislature, furnish the Clerk of the preceding House of Representatives a certification of the name and residence of the Representative-elect of the Passamaquoddy Tribe to the Legislature. Beginning with the 126th Legislature, the Tribal Clerk of the Houlton Band of Maliseet Indians shall, on or before the day preceding the meeting of the Legislature, furnish to the Clerk of the preceding House of Representatives a certification of the name and residence of the Representative-elect of the Houlton Band of Maliseet Indians to the Legislature. Beginning with the 133rd Legislature, the Tribal Clerk of the Mi'kmaq Nation shall, on or before the day preceding the meeting of the Legislature, furnish to the Clerk of the preceding House of Representatives a certification, under the seal of the Nation, of the name and residence of the Representative-elect of the Mi'kmaq Nation to the Legislature.

Sec. 2. 3 MRSA §2, 9th ¶, as amended by PL 2023, c. 2, §4, is further amended to read:

COMMITTEE AMENDMENT

1 The member of the Penobscot Indian Nation, the member of the Passamaquoddy Indian
 2 Tribe and, ~~beginning with the Second Regular Session of the 125th Legislature,~~ the member
 3 of the Houlton Band of Maliseet Indians and, beginning with the First Regular Session of
 4 the 133rd Legislature, the member of the Mi'kmaq Nation elected to represent their tribes
 5 at the Legislature are entitled to receive a salary equal to the salary of members of the
 6 Senate and the House of Representatives, including a cost-of-living adjustment, for each
 7 regular session and an allowance for constituent service and allowances for travel-related
 8 expenses, which are housing, meals, mileage and tolls, to the same extent as members of
 9 the House of Representatives for attendance at each legislative session or authorized
 10 committee meeting. For the duration of any special session of the Legislature, they are
 11 entitled to receive the same per diem payment and allowances, including travel-related
 12 expenses, which are housing, meals, mileage and tolls, as any member of the Senate and
 13 House of Representatives.

14 **Sec. 3. Appropriations and allocations.** The following appropriations and
 15 allocations are made.

16 **LEGISLATURE**

17 **Legislature 0081**

18 Initiative: Provides ongoing funding for the costs of an additional Legislator.

19 GENERAL FUND	2025-26	2026-27
20 Personal Services	\$0	\$43,611
21 All Other	\$0	\$60,376
22		
23 GENERAL FUND TOTAL	\$0	\$103,987

24 **Legislature 0081**

25 Initiative: Provides one-time funding for the costs of adding a new Legislator.

26 GENERAL FUND	2025-26	2026-27
27 All Other	\$0	\$80,047
28		
29 GENERAL FUND TOTAL	\$0	\$80,047

31 **LEGISLATURE**

32 DEPARTMENT TOTALS	2025-26	2026-27
33		
34 GENERAL FUND	\$0	\$184,034
35		
36 DEPARTMENT TOTAL - ALL FUNDS	\$0	\$184,034

37
 38 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 39 number to read consecutively.

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SUMMARY

This amendment, which is a minority report of the committee, replaces the bill and changes the title. The amendment provides that, beginning with the First Regular Session of the 133rd Legislature, the Mi'kmaq Nation may, like the other Wabanaki Nations, elect a representative to the House of Representatives of the Maine Legislature. The representative of the Mi'kmaq Nation has, to the same extent as other members of the Legislature, the right to receive a salary for each regular session of the Legislature, an allowance for constituent services, allowances for travel-related expenses and per diem payments for the duration of any special session of the Legislature.

FISCAL NOTE REQUIRED

(See attached)



132nd MAINE LEGISLATURE

LD 785

LR 235(04)

An Act to Enact the Remaining Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act

Fiscal Note for Bill as Amended by Committee Amendment "B" (S-695)
Committee: Judiciary
Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	\$0	\$184,034	\$88,735	\$97,383
Appropriations/Allocations				
General Fund	\$0	\$184,034	\$88,735	\$97,383

Fiscal Detail and Notes

The bill provides an ongoing appropriation of \$103,987 in fiscal year 2026-27 to the Legislature for the costs of an additional Legislative member representing the Mi'kmaq Nation. The bill also provides an appropriation of \$80,047 in fiscal year 2026-27 for the one-time cost of adding an additional member including chamber renovations, systems modifications and programming changes.