

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1726

H.P. 1276

House of Representatives, January 3, 2012

An Act To Make Technical Corrections to the Laws Governing the Indian Representatives to the Legislature

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Speaker NUTTING of Oakland.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** current law authorizes the inclusion of a representative of the Houlton
4 Band of Maliseet Indians in the Maine House of Representatives beginning with the
5 Second Regular Session of the 125th Legislature in January 2012; and

6 **Whereas,** this legislation clarifies that, for the Second Regular Session of the 125th
7 Legislature, the member selected to represent the Houlton Band of Maliseet Indians may
8 be appointed rather than elected by the Houlton Band of Maliseet Indians; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. PL 2009, c. 636, Pt. A, §3** is amended to read:

15 **Sec. A-3. Initial Representative of the Houlton Band of Maliseet Indians.**

16 The Tribal Clerk of the Houlton Band of Maliseet Indians shall, on or before the day
17 ~~preceding the meeting of the convening~~ of the Second Regular Session of the 125th
18 Legislature, furnish to the Clerk of the House of Representatives a certification of the
19 name and residence of the ~~Representative-elect~~ member of the Houlton Band of Maliseet
20 Indians appointed by the Houlton Band of Maliseet Indians to represent it to the
21 Legislature.

22 **Sec. 2. PL 2009, c. 636, Pt. A, §4** is enacted to read:

23 **Sec. A-4. Salary, expenses and travel of initial Representative of the**
24 **Houlton Band of Maliseet Indians.** Notwithstanding the Maine Revised Statutes,
25 Title 3, section 2, for the Second Regular Session of the 125th Legislature, the member of
26 the Houlton Band of Maliseet Indians appointed by the Houlton Band of Maliseet Indians
27 to represent it to the Legislature is entitled to a salary equal to the salary of a member of
28 the Senate or House of Representatives.

29 **Emergency clause.** In view of the emergency cited in the preamble, this
30 legislation takes effect when approved.

31 **SUMMARY**

32 Current law authorizes a member of the Houlton Band of Maliseet Indians elected by
33 it to represent the Houlton Band of Maliseet Indians to the Legislature. This bill makes
34 technical corrections to the law to clarify that, for the Second Regular Session of the
35 125th Legislature, the member may be appointed rather than elected by the Houlton Band
36 of Maliseet Indians.