

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1392

H.P. 1006

House of Representatives, March 26, 2019

An Act To Establish a Formal Tribal Consultation Process with the State

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NEWELL of the Passamaquoddy Tribe.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: ACKLEY of Monmouth, COLLINGS of Portland, EVANGELOS of
Friendship, MARTIN of Sinclair, MOONEN of Portland, PLUECKER of Warren, RISEMAN
of Harrison, Senator: CARPENTER of Aroostook.

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

2 **Sec. 1. 5 MRSA §59** is enacted to read:

3 **§59. Promotion of communication between state agencies and federally recognized**
4 **Indian tribes**

5 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
6 following terms have the following meanings.

7 A. "Federally recognized Indian tribes" means the Passamaquoddy Tribe, Penobscot
8 Nation, Houlton Band of Maliseet Indians and Aroostook Band of Micmacs.

9 B. "State agency" means a department, commission, board, office or other entity that
10 is in the executive branch of State Government.

11 **2. Policy.** A state agency shall develop and implement a policy that:

12 A. Promotes effective communication between the state agency and federally
13 recognized Indian tribes;

14 B. Promotes positive government-to-government relations between the State and
15 federally recognized Indian tribes; and

16 C. Enables federally recognized Indian tribes to consult with the state agency in a
17 meaningful and timely manner regarding the development of legislation, rules and
18 policies proposed by the state agency on matters that significantly or uniquely affect
19 the tribes.

20 **SUMMARY**

21 This bill requires a state agency to develop and implement a policy that:

22 1. Promotes effective communication between the state agency and federally
23 recognized Indian tribes in the State;

24 2. Promotes positive government-to-government relations between the State and
25 federally recognized Indian tribes in the State; and

26 3. Enables federally recognized Indian tribes in the State to consult with the state
27 agency in a meaningful and timely manner regarding the development of legislation, rules
28 and policies proposed by the state agency on matters that significantly or uniquely affect
29 the tribes.