

MAINE STATE LEGISLATURE

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L.D. 1034

Date: 6-4-21

(Filing No. H-410)

MAJORITY

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 768, L.D. 1034, "An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations"

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

'An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations and To Establish Staffing for the Commission'

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

'Sec. 1. 5 MRSA §12004-I, sub-§74-J, as enacted by PL 2019, c. 457, §1, is amended to read:

74-J.

Racial, Permanent Commission on the ~~Not Authorized~~ 5 MRSA §25001
Indigenous and Status of Racial, Indigenous and Legislative Per
~~Maine Tribal~~ ~~Maine Tribal~~ Populations Diem and Expenses
Populations

Sec. 2. 5 MRSA c. 631, headnote is amended to read:

CHAPTER 631

PERMANENT COMMISSION ON THE STATUS OF RACIAL, INDIGENOUS AND ~~MAINE~~ TRIBAL POPULATIONS

Sec. 3. 5 MRSA §25001, as enacted by PL 2019, c. 457, §2, is amended to read:
§25001. Commission established

COMMITTEE AMENDMENT

1 The Permanent Commission on the Status of Racial, Indigenous and ~~Maine~~ Tribal
2 Populations, established by section 12004-I, subsection 74-J and referred to in this chapter
3 as "the commission," is an independent commission. The commission shall promote,
4 implement and coordinate programs that create and improve opportunities and incorporate
5 the goal of eliminating disparities for historically disadvantaged racial, indigenous and
6 tribal populations in the State.

7 **Sec. 4. 5 MRSA §25002, sub-§1, ¶D**, as enacted by PL 2019, c. 457, §2, is
8 amended to read:

9 D. Other members:

10 (1) A representative from each of the federally recognized Indian tribes in the
11 State; and

12 (2) Any other individual agreed to by a majority of commission members.

13 **Sec. 5. 5 MRSA §25007, sub-§2, ¶D**, as enacted by PL 2019, c. 457, §2, is
14 amended to read:

15 D. Submit to the Legislature, ~~at the start of each regular session,~~ such legislation as
16 the commission determines appropriate for improving opportunities and eliminating
17 disparities for historically disadvantaged racial, indigenous and tribal populations in
18 the State;

19 **Sec. 6. 5 MRSA §25009**, as enacted by PL 2019, c. 457, §2, is repealed.

20 **Sec. 7. 5 MRSA §25011** is enacted to read:

21 **§25011. Executive director; staff; duties**

22 The commission shall select an individual to serve as the executive director of the
23 commission. The executive director shall hire appropriate staff to assist in carrying out the
24 duties of the commission and shall either directly or through staff hired by the executive
25 director:

26 **1. Outreach.** Provide statewide community outreach relating to the work of the
27 commission, including engagement, training and education of:

28 A. The general public;

29 B. Affected communities; and

30 C. Commission members and staff;

31 **2. Truth and reconciliation initiative.** Launch a truth and reconciliation initiative
32 involving a statewide qualitative and quantitative research effort to assess the effects of
33 generational poverty and systemic racism in order to assist the commission in developing
34 a multi-year strategic plan to address these issues;

35 **3. Uncover entities.** Uncover entities and places in the State that benefited from the
36 State's involvement in the enslavement, genocide and colonization of indigenous and
37 African-descended populations who trace their history to the Americas and uncover entities
38 and places in the area of the United States known as New England that benefited from the
39 involvement in the enslavement, genocide and colonization of indigenous and African-
40 descended populations who trace their history to the Americas;

1 4. Professionalize work. Professionalize the efforts of the commission to ensure the
2 work of the commission is effective and sustainable and will continue to represent the
3 diverse populations most affected by generational inequities and structural racism;

4 5. Develop partnerships. Develop appropriate partnerships and methodologies
5 related to educational curricula and pedagogy to build a supportive school environment
6 responsive to all students, without regard to race, ethnicity and income, that addresses and
7 eliminates historical inequities;

8 6. Examine inequities. Examine existing inequities in economic and community
9 development in order to encourage the self-determination, health and well-being of
10 populations negatively affected by these inequities;

11 7. Organizational capacity. Build and expand the organizational capacity of the
12 commission through the inclusion of populations identified under subsection 6 in
13 subcommittee work, initiatives, projects and activities of the commission; and

14 8. Database. Create and maintain a database of reliable contact information for
15 individuals affected by the inequities identified under subsection 6 and other stakeholders
16 as well as a database of useful resources for the commission.'

17 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
18 number to read consecutively.

SUMMARY

19 This amendment, which is the majority report of the committee, replaces the bill. It
20 provides compensation to the members of the Permanent Commission on the Status of
21 Racial, Indigenous and Tribal Populations. It removes the word "Maine" from the phrase
22 "Maine tribal populations." It permits the commission, by majority vote, to invite others
23 to be members of the commission. It establishes the position of executive director of the
24 commission and authorizes the executive director to hire appropriate staff to support the
25 work of the commission. It specifies the duties of the executive director and the director's
26 staff.
27

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 1034

LR 436(02)

An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations

Fiscal Note for Bill as Amended by Committee Amendment *ACH-410*

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

This legislation authorizes members of the Permanent Commission on the Status of Racial, Indigenous and Tribal Population to receive compensation and to hire staff to carry out the duties of the commission. The current cash balance in the Racial, Indigenous and Maine Tribal Populations program account was \$46,945. LD 221, the 2022-2023 biennial budget, as amended by the May 2021 change package, includes General Fund appropriations of \$495,035 per year beginning in fiscal year 2021-22 to support the work of the commission. If approved by the Legislature, this funding should be sufficient to support both the cost to compensate commission members and to hire staff.