

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2145

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H.P. 1369

House of Representatives, January 3, 2024

**Resolve, to Add Members to the Maine Semiquincentennial  
Commission and Set the Compensation Rate for Commission  
Members**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on State and Local Government suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative SACHS of Freeport.  
Cosponsored by Senator CURRY of Waldo and  
Representatives: DANA of the Passamaquoddy Tribe, HEPLER of Woolwich, STOVER of  
Boothbay, Speaker TALBOT ROSS of Portland, Senators: BAILEY of York, PIERCE of  
Cumberland.

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,** the Maine Semiquincentennial Commission was established by Resolve  
4 2023, chapter 126 to develop and coordinate the commemoration of the 250th anniversary  
5 of the founding of the United States of America; and

6           **Whereas,** the commission lacks sufficient representation by federally recognized  
7 Indian nations, tribes and bands in the State, the Franco-American community, the African  
8 American community, state Legislators and members of the public; and

9           **Whereas,** current reimbursement for commission members does not sufficiently  
10 accommodate and reimburse commission members for their time; and

11           **Whereas,** the Secretary of State has convened the commission and the commission  
12 has begun to carry out its duties; and

13           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
14 the meaning of the Constitution of Maine and require the following legislation as  
15 immediately necessary for the preservation of the public peace, health and safety; now,  
16 therefore, be it

17           **Sec. 1. Resolve 2023, c. 126, §2, amended. Resolved:** That Resolve 2023, c.  
18 126, §2 is amended to read:

19           **Sec. 2. Commission membership. Resolved:** That the commission consists of ~~15~~  
20 25 members as follows:

- 21           1. The Secretary of State, or the Secretary of State's designee;
- 22           2. The State Historian, or the State Historian's designee;
- 23           3. The Chair of the Maine State Cultural Affairs Council, or the chair's designee;
- 24           4. The State Archivist, or the State Archivist's designee;
- 25           5. The Director of the Maine State Museum, or the director's designee;
- 26           6. The State Librarian, or the State Librarian's designee;
- 27           7. A representative of a statewide organization to promote tourism in the State,  
28 appointed by the President of the Senate;
- 29           8. A representative of a statewide organization that promotes arts and culture in the  
30 State, appointed by the President of the Senate;
- 31           9. A representative of a history museum or historical society, appointed by the Speaker  
32 of the House;
- 33           10. A representative of a statewide humanities organization that uses humanities as a  
34 tool for positive change in the State's communities, appointed by the Speaker of the House;
- 35           11. A representative of a statewide organization that promotes and enhances the value  
36 of Maine libraries, appointed by the Secretary of State;
- 37           12. A representative of the historic preservation profession, appointed by the Secretary  
38 of State;

1 13. A representative of prekindergarten to grade 12 education and adult education,  
2 appointed by the Governor;

3 14. A representative of local government, appointed by the Governor; and

4 ~~15. One member, appointed by the Speaker of the House, who is a member of a~~  
5 ~~federally recognized Indian nation, tribe or band in the State based on the joint~~  
6 ~~recommendation of the tribal governments of the Mi'kmaq Nation, the Houlton Band of~~  
7 ~~Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe~~  
8 ~~at Sipayik and the Penobscot Nation. If these tribal governments do not make a unanimous~~  
9 ~~joint recommendation, the Speaker of the House shall appoint a member of a federally~~  
10 ~~recognized Indian nation, tribe or band in the State and rotate the appointment among each~~  
11 ~~federally recognized Indian nation, tribe or band in the State in accordance with section 3.~~

12 16. A representative of the Houlton Band of Maliseet Indians, recommended by the  
13 Chief of the Houlton Band of Maliseet Indians, to be appointed by the Speaker of the  
14 House;

15 17. A representative of the Mi'kmaq Nation, recommended by the Chief of the Mi'kmaq  
16 Nation, to be appointed by the Speaker of the House;

17 18. A representative of the Passamaquoddy Tribe at Motahkomikuk, recommended by  
18 the Chief of the Passamaquoddy Tribe at Motahkomikuk, to be appointed by the Speaker  
19 of the House;

20 19. A representative of the Passamaquoddy Tribe at Sipayik, recommended by the  
21 Chief of the Passamaquoddy Tribe at Sipayik, to be appointed by the Speaker of the House;

22 20. A representative of the Penobscot Nation, recommended by the Chief of the  
23 Penobscot Nation, to be appointed by the Speaker of the House;

24 21. A representative of a state-based organization that promotes Franco-American  
25 culture in the State, appointed by the President of the Senate;

26 22. A representative of a state-based organization that promotes multigenerational  
27 African American culture in the State, appointed by the Speaker of the House;

28 23. One member of the Senate, appointed by the President of the Senate;

29 24. One member of the House of Representatives, appointed by the Speaker of the  
30 House;

31 25. One member of the public, appointed by the President of the Senate; and

32 26. One member of the public, appointed by the Speaker of the House.

33 In addition to the ~~15~~ 25 members under this section, the Governor, the President of the  
34 Senate and the Speaker of the House serve as ex officio members of the commission.

35 In appointing members of the commission, the appointing authorities shall give  
36 consideration to race, gender, socioeconomic diversity and geographic diversity.

37 **Sec. 2. Resolve 2023, c. 126, §3, amended. Resolved:** That Resolve 2023, c.  
38 126, §3 is amended to read:

39 **Sec. 3. Appointment terms. Resolved:** That appointed members are appointed  
40 for terms that expire December 31, 2026; a vacancy is filled in the same manner as the  
41 original appointment. ~~If the member who represents a federally recognized Indian nation,~~

1 tribe or band in the State appointed under section 2, subsection 15 is not the unanimous  
2 joint recommendation of the tribal governments, the member appointed serves coincident  
3 with the term of the Legislature during which the member was appointed but may continue  
4 to serve until the member's replacement is appointed. The Speaker of the House, in making  
5 subsequent appointments under section 2, subsection 15, shall rotate the appointment  
6 among each federally recognized Indian nation, tribe or band in the State.

7 **Sec. 3. Resolve 2023, c. 126, §4, amended. Resolved:** That Resolve 2023, c.  
8 126, §4 is amended to read:

9 **Sec. 4. Appointments; chair; convening of commission; advisory council.**  
10 **Resolved:** That all appointments must be made no later than 30 days following the  
11 effective date of this resolve. The appointing authorities shall notify the Secretary of State  
12 once all appointments have been completed. When appointment of all members is  
13 complete, the Secretary of State shall call and convene the first meeting of the commission  
14 no later than December 1, 2023. The Secretary of State shall name 5 members to constitute  
15 an executive committee, which shall act as chair of the commission. The Secretary of State,  
16 with advice from the commission, also may appoint honorary members and shall establish  
17 an advisory council ~~composed of people who are especially interested in the celebration of~~  
18 the United States Semiquincentennial consisting of nonvoting members of the public to  
19 seek input on decisions made or considered by the commission.

20 **Sec. 4. Resolve 2023, c. 126, §8, amended. Resolved:** That Resolve 2023, c.  
21 126, §8 is amended to read:

22 **Sec. 8. Expenses; compensation. Resolved:** That the executive committee  
23 established under section 4 shall draft a commission budget and may pay necessary  
24 expenses of the commission from the fund established under section 12. The Secretary of  
25 State may request additional appropriations from the Legislature for necessary expenses of  
26 the commission.

27 Members of the commission are eligible to receive a legislative per diem as defined in  
28 the Maine Revised Statutes, Title 5, section 12002, subsection 3. Pursuant to Title 5, section  
29 12002-B, legislative per diem may only be paid for a member's actual attendance at a  
30 meeting of the commission, a public hearing held by the commission, an advisory board  
31 meeting held by the commission or participation in official business of the commission  
32 required by law or by rule of the commission that is necessary to fulfill the statutory  
33 responsibilities of the commission.

34 Members may only be compensated up to a maximum of 4 meetings per month. This  
35 section may not be interpreted to be inconsistent with the conflict of interest provisions in  
36 The Maine Revised Statutes, Title 5, section 18-A.

37 **Sec. 5. Resolve 2023, c. 126, §9, repealed. Resolved:** That Resolve 2023, c.  
38 126, §9 is repealed.

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

**SUMMARY**

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This resolve amends Resolve 2023, chapter 126 by adding additional members to the Maine Semiquincentennial Commission representing federally recognized Indian nations, tribes and bands in the State, Franco-American culture, African American culture, state Legislators and members of the public. The resolve also amends the compensation for commission members to receive the legislative per diem rate.