

## STATE OF MAINE

—  
 IN THE YEAR OF OUR LORD  
 TWO THOUSAND AND THIRTEEN

—  
 H.P. 269 - L.D. 394

**An Act To Add Members of the Aroostook Band of Micmacs to the Maine Indian Tribal-State Commission and Add Corresponding Members for the State**

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

**Sec. 1. 30 MRSA §6212, sub-§1**, as amended by PL 2009, c. 384, Pt. F, §1 and affected by §4, is further amended to read:

**1. Commission created.** The Maine Indian Tribal-State Commission is established. The commission consists of ~~13~~ 17 members, ~~6~~ 8 to be appointed by the Governor, subject to review by the Joint Standing Committee on Judiciary and to confirmation by the Legislature, 2 to be appointed by the Aroostook Band of Micmacs, 2 to be appointed by the Houlton Band of Maliseet Indians, 2 to be appointed by the Passamaquoddy Tribe, 2 to be appointed by the Penobscot Nation and a chair, to be selected in accordance with subsection 2. The members of the commission, other than the chair, each serve for a term of 3 years and may be reappointed. In the event of the death, resignation or disability of a member, the appointing authority may fill the vacancy for the unexpired term.

**Sec. 2. 30 MRSA §6212, sub-§2**, as amended by PL 2009, c. 384, Pt. F, §2 and affected by §4, is further amended to read:

**2. Chair.** The commission, by a majority vote of its ~~12~~ 16 members, shall select an individual who is a resident of the State to act as chair. In the event of the death, resignation, replacement or disability of the chair, the commission may select, by a majority vote of its ~~12~~ 16 remaining members, a new chair. When the commission is unable to select a chair within 120 days of the death, resignation, replacement or disability, the Governor, after consulting with the chiefs of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Penobscot Nation and the Passamaquoddy Tribe, shall appoint an interim chair for a period of one year or for the period until the commission selects a chair in accordance with this section, whichever is shorter. The chair is a full-voting member of the commission and, except when appointed for an interim term, ~~shall serve~~ serves for 4 years.

**Sec. 3. 30 MRSA §6212, sub-§3**, as amended by PL 2009, c. 384, Pt. F, §3 and affected by §4, is further amended to read:

**3. Responsibilities.** In addition to the responsibilities set forth in this Act, the commission shall continually review the effectiveness of this Act and the social, economic and legal relationship between the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and the State and shall make such reports and recommendations to the Legislature, the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation as it determines appropriate.

~~Nine~~ Twelve members constitute a quorum of the commission and a decision or action of the commission is not valid unless ~~7~~ 9 members vote in favor of the action or decision.

**Sec. 4. 30 MRSA §6212, sub-§6, ¶¶B and C**, as enacted by PL 2009, c. 636, Pt. C, §3 and affected by §4, are amended to read:

B. The Passamaquoddy Tribe; ~~and~~

C. The Penobscot Nation; and

**Sec. 5. 30 MRSA §6212, sub-§6, ¶D** is enacted to read:

D. The Aroostook Band of Micmacs.

**Sec. 6. Contingent effective date.** This Act takes effect October 1, 2013 only if, within 90 days after the adjournment of the First Regular Session of the 126th Legislature, the Secretary of State receives written certification from the Council of the Aroostook Band of Micmacs that the band has agreed to the provisions of this Act, written certification from the Houlton Band Council of the Houlton Band of Maliseet Indians that the band has agreed to the provisions of this Act, written certification from the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has agreed to the provisions of this Act and written certification from the Governor and Council of the Penobscot Nation that the nation has agreed to the provisions of this Act pursuant to 25 United States Code, Section 1725(e), copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes.