



132nd MAINE LEGISLATURE

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Legislative Document

No. 1383

H.P. 905

House of Representatives, April 1, 2025

An Act to Require State Divestment from Perpetrators of International Human Rights Violations

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

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MACIAS of Topsham.

Cosponsored by Representatives: ABDI of Lewiston, DEBRITO of Waterville, DHALAC of South Portland, PUGH of Portland, RANA of Bangor, SATO of Gorham, YUSUF of Portland.

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

2 **Sec. 1. 5 MRSA §1524** is enacted to read:

3 **§1524. State divestment from perpetrators of international human rights violations**

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

6 A. "Crime of apartheid" has the same meaning as in the Rome Statute of the
7 International Criminal Court, article 7, paragraph 2(h).

8 B. "Ethnic cleansing" means the systematic forced removal of an ethnic or religious
9 group from a given territory by another ethnic or religious group, often with the intent
10 to make the territory more ethnically or religiously homogeneous.

11 C. "Genocide" has the same meaning as in the Rome Statute of the International
12 Criminal Court, article 6.

13 D. "Perpetrator state" means a state, country or governing body found by an
14 independent and credible international body, including the United Nations,
15 International Criminal Court or similar tribunal, to have committed the crime of
16 apartheid, ethnic cleansing, genocide or a war crime.

17 E. "War crime" has the same meaning as in the Rome Statute of the International
18 Criminal Court, article 8, paragraph 2.

19 **2. Prohibition on investments.** The State may not invest funds, including any public
20 funds managed by the Maine Public Employees Retirement System under chapter 421, in
21 or enter into a procurement contract with a company, entity, person or financial institution
22 that operates in, directly benefits from or is associated with a perpetrator state. The State
23 shall divest all assets from a company, entity, person or financial institution that operates
24 in, directly benefits from or is associated with a perpetrator state within 12 months of the
25 determination of the perpetrator state's status as a perpetrator state by an independent and
26 credible international body.

27 **3. Monitoring and reporting.** The Office of the Treasurer of State, in collaboration
28 with human rights experts and organizations, shall establish a commission to monitor
29 international human rights reports and identify potential perpetrator states. By January 1st
30 of each year, the Office of the Treasurer of State shall submit a report from the commission
31 detailing the commission's activities and findings regarding compliance with this section
32 to the Governor and the Legislature.

33 **4. Exceptions; waiver.** This section does not apply to an investment or procurement
34 contract related to the provision of humanitarian aid, food, medicine or other essential
35 supplies aimed at alleviating the suffering of a population. The Governor may issue a
36 waiver of the provisions of subsection 2 related to an investment, procurement or
37 divestment if the Governor determines that the waiver will prevent significant harm to the
38 residents of this State or that the operation of this section will undermine national security
39 interests.

40 **5. Legal challenges.** The court shall address a legal challenge to the operation of this
41 section in an expedited manner.

6. Enforcement. The Attorney General shall enforce violations of this section by any department, agency or other public or private person.

Sec. 2. State to divest within 12 months of effective date of this Act. Within 12 months of the effective date of this Act, the Office of the Treasurer of State shall divest all public funds, including any public funds managed by the Maine Public Employees Retirement System under the Maine Revised Statutes, Title 5, chapter 421, from a perpetrator state as defined in Title 5, section 1524, subsection 1, paragraph D.

SUMMARY

This bill prohibits the State from investing public funds or entering into procurement contracts with companies, entities, persons or financial institutions that operate in, directly benefit from or are associated with perpetrator states, countries or governing bodies that have been determined by independent and credible international bodies to have committed the crime of apartheid, ethnic cleansing, genocide or a war crime. The bill directs the Office of the Treasurer of State to create a commission to monitor human rights reports to identify potential perpetrator states, countries or governing bodies and to report the activities and findings regarding compliance with the provisions of this bill annually to the Governor and the Legislature. The bill creates exceptions for humanitarian aid and allows for a waiver related to an investment, procurement or divestment by the Governor in cases of significant harm to the residents of this State or that undermine national security interests.