

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 1549**

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H. P. 1129

House of Representatives, March 16, 1971

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Mills of Eastport.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT to Authorize Direct Funding of the Indian Tribes.**

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

**Sec. 1. R. S., T. 5, § 3304, sub-§ 3, ¶ A, sub-¶ (3), additional.** Paragraph A of subsection 3 of section 3304 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 533 of the public laws of 1967, is amended by adding a new subparagraph (3) to read as follows:

(3) The director shall hire a member of either the Penobscot or Passamaquoddy tribes to work with and be of assistance to the person heading the Indian reservation program in the Department of Economic Development. He may be assigned such additional duties as the director may determine.

**Sec. 2. R. S., T. 10, § 552, sub-4, additional.** Section 552 of Title 10 of the Revised Statutes, as enacted by section 8 of chapter 442 of the public laws of 1969, is amended by adding a new subsection 4 to read as follows:

4. Indian reservations. Included in all of the foregoing shall be one program directed at the Indian reservations and headed by a member of either the Penobscot or the Passamaquoddy tribes. He may be assigned such additional duties as the commissioner may determine.

**Sec. 3. R. S., T. 22, § 4702, amended.** The last paragraph of section 4702 of Title 22 of the Revised Statutes, as repealed and replaced by section 1 of chapter 340 of the public laws of 1965, is amended to read as follows:

The commissioner may employ, subject to the Personnel Law, ~~the necessary assistance to carry out the duties and responsibilities of the Department of Indian Affairs~~ one secretary.

**Sec. 4. R. S., T. 22, §§ 4719 to 4722, additional.** Title 22 of the Revised Statutes is amended by adding the new sections 4719 to 4722 to read as follows:

**§ 4719. Funds available**

The commissioner and each governor and tribal council shall determine the proportions of the funds appropriated to the Department of Indian Affairs which shall be available to each of the 3 reservations.

**§ 4720. Procedure**

**Procedure.** The commissioner, the Controller, the governors and tribal councils shall set up a procedure for receiving, handling, expending and accounting for the funds to be made available to each reservation. The procedure shall include determination of duties of tribal officials and employees and method of selection of such officials and employees.

**§ 4721. Payment to tribes**

When the commissioner is satisfied that any governor and tribal council is ready to assume the duties of receiving, handling, expending and accounting for the predetermined proportion of the appropriation he shall arrange with the Bureau of Accounts and Control for the forwarding of a monthly check to the appropriate tribal official.

**§ 4722. Governor responsibility; welfare defined**

The tribal governors shall be responsible for the expenditures of the funds for salaries and the welfare of the tribal members living on the reservations in accordance with procedures as determined under section 4720.

1. **Welfare defined.** Welfare as used in this section shall mean the furnishing of food, clothing, fuel, medical care and supplies and personal and household items to members of the tribe who are in need and are living on the reservation.

## STATEMENT OF FACT

This legislation, consistent with a policy of providing for more self-government by Maine's Indian tribes, would permit the Tribal Governor and Council to directly administer appropriations made for the welfare of the Tribes. This alteration to present procedure would occur only when desired by the Tribes themselves and only when the Commissioner of Indian Affairs is satisfied that proper procedures have been established for the receiving, handling, expending and accounting of funds.