

MAINE STATE LEGISLATURE

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M
R. S.

L.D. 1667

DATE: 3/26/96

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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1217, L.D. 1667, Bill, "An Act to Improve Tribal and State Relations by Strengthening the Maine Indian Tribal-State Commission"

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

'Resolve, to Improve Tribal and State Relations'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Sec. 1. Task force established. Resolved: That the Maine Indian Tribal-State Commission, referred to in this resolve as the "commission," shall establish the Task Force on Tribal-State Relations, referred to in this resolve as the "task force"; and be it further

Sec. 2. Members. Resolved: That the task force must consist of commission members and any other persons the commission determines necessary or appropriate to serve voluntarily on the task force. The commission shall consider including as members of the task force the following: representatives of the Passamaquoddy Tribe; representatives of the Penobscot Indian Nation; Legislators serving in the 117th Legislature, in particular members of the Joint Standing Committee on Judiciary

COMMITTEE AMENDMENT

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2 and the Joint Standing Committee on Natural Resources; the
Attorney General or a representative of the Attorney General; and
4 the Governor or a representative of the Governor.

6 The commission shall determine the designation or election of the
chair of the task force; and be it further

8 **Sec. 3. Duties. Resolved:** That the task force shall:

10 1. Explore ways to improve the relationship between the
State and the commission and between the State and federally
12 recognized Indian tribes;

14 2. Determine the appropriate role that the Houlton Band of
Maliseets and the Aroostook Band of Micmacs may or should have in
16 the commission without interfering with the Act to Implement the
Maine Indian Claims Settlement. The task force shall consult
18 with and invite the participation of members of the Houlton Band
of Maliseets and the Aroostook Band of Micmacs in carrying out
20 the duties under this subsection;

22 3. Evaluate the general effectiveness of the commission;

24 4. Engage in other activities to improve tribal-state
relations; and

26 5. Develop recommendations based on subsections 1 to 4; and
28 be it further

30 **Sec. 4. Meetings. Resolved:** That the commission shall convene
the first meeting of the task force. The task force may meet as
32 often as it determines necessary; and be it further

34 **Sec. 5. Report. Resolved:** That by December 15, 1996, the task
force shall submit a report of its work and recommendations,
36 along with any draft recommendations for legislation, to the
First Regular Session of the 118th Legislature, the joint
38 standing committee of the Legislature having jurisdiction over
judiciary matters, the Joint Tribal Council of the Passamaquoddy
40 Tribe, the Governor and Council of the Penobscot Indian Nation,
the Houlton Band Council of the Houlton Band of Maliseets and the
42 Aroostook Micmac Council of the Aroostook Band of Micmacs. Any
recommendations for legislation must be submitted to the Revisor
44 of Statutes by December 15, 1996 for consideration as legislation
during the First Regular Session of the 118th Legislature; and be
46 it further

48 **Sec. 6. Staff and funding. Resolved:** That the commission shall
provide staff and funding for the task force. All members of the
50 task force may receive the legislative per diem and

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reimbursement for expenses as determined by the commission; and
be it further

Sec. 7. Freedom of access. Resolved: That for the purposes of
the laws regarding freedom of access, the proceedings of the task
force are public; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are
appropriated from the General Fund.

1996-97

**MAINE INDIAN TRIBAL-STATE
COMMISSION**

**Maine Indian Tribal-State
Commission**

All Other \$7,500

Provides funds for ongoing support of the
Maine Indian Tribal-State Commission to
fulfill its responsibilities under a solemn
treaty, the Maine Indian Claims Settlement
Act of 1980. The commission is requesting
the Passamaquoddy Tribe and the Penobscot
Nation to match this amount, in keeping with
a long-standing agreement to support the
financing of the commission on a 50/50
tribal-state basis.'

Further amend the bill by inserting at the end before the
statement of fact the following:

FISCAL NOTE

1996-97

APPROPRIATIONS/ALLOCATIONS

General Fund \$7,500

This resolve includes a General Fund appropriation of \$7,500
in fiscal year 1996-97 for the Maine Indian Tribal-State
Commission as an indication of greater ongoing General Fund
support for the commission. This increased General Fund support
will be matched by an equal amount of tribal funds to provide for
the increased operating costs of the commission.

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2 The establishment of the Task Force on Tribal-State
4 Relations may result in increased per diem and reimbursement
6 costs to the commission. The amounts will depend on the number
8 of task force members and whether the commission decides to
approve compensation for the members. The increased General Fund
appropriation will allow the commission to absorb these
additional costs within its higher level of budgeted resources.'

10

STATEMENT OF FACT

12

14 This amendment replaces the original bill and makes it a
resolve.

16

18 This amendment requires the Maine Indian Tribal-State
Commission to establish a Task Force on Tribal-State Relations to
report back to the Legislature and all the federally recognized
20 Indian tribes within the State by December 15, 1996 with
recommendations to improve tribal-state relations. The task
22 force shall examine possible roles in the Maine Indian
Tribal-State Commission for the Houlton Band of Maliseets and the
Aroostook Band of Micmacs and evaluate the effectiveness of the
24 commission. The commission must establish the membership of the
task force based on its determination of what composition will be
26 the most effective.

28

30 The amendment retains the increase of funding of the Maine
Indian Tribal-State Commission contained in the original bill.
32 Funding for the task force will be paid from the State's and the
tribes' matching contributions to the funding of the commission.
This is an increase in the ongoing obligation of the parties.

34

This amendment also adds a fiscal note to the bill.