

Maine Indian Tribal-State Commission



Chairperson
Paul Downing

Managing Director
Paul G. Thibeault

MITSC Presentation to Judiciary Committee – Overview – January 21, 2021

The Maine Indian Tribal-State Commission (MITSC) was created in 1980 as part of the Maine Implementing Act. The Commission consists of thirteen members. Six of the members come from the State, appointed by the Governor and confirmed by the Legislature. The Tribes also appoint six members, consisting of two from each of the signatory Tribes – the Penobscot Nation, the Passamaquoddy Tribe, and the Houlton Band of Maliseet Indians. The twelve appointed members choose a Chairperson for a 4-year term. Last October, the Commissioners elected a new Chairperson, Paul Downing. MITSC has had a vacancy since the death of Michael Pearson last March. It is our understanding that a nomination by Governor Mills is imminent, and we ask the Committee to conduct the confirmation hearing expeditiously to restore MITSC to full strength.

The primary statutory roles of MITSC are to continually review the effectiveness of the Maine Implementing Act and the social, economic, and legal relationships between the State of Maine and the Wabanaki Tribes. Those relationships encompass a wide range of issues including but not limited to natural resources, economic development, health care, public safety, public welfare, courts, corrections, and education. The Commission makes policy recommendations to the State and Tribal Governments based on its ongoing reviews. MITSC also provides education and acts as a general resource on Tribal-State issues. The MITSC website is at www.mitsc.org.

Historically, the lack of adequate funding has been a chronic problem for MITSC. For the past two years MITSC has been able to maintain staff and Commissioner activity because of funding that carried over from a period of relative inactivity in 2017-2018 when State positions were left unfilled. MITSC currently functions with skeletal staffing consisting of a Managing Director supplemented by part-time contractors for special projects, bookkeeping, and IT assistance.

MITSC has been going through an important period of transition. The current Commissioners, both Tribal and State, are very talented and experienced people with a wide range of expertise in government, business, finance, public policy, law, natural resources management, health care, law enforcement, and other fields. The Commission recently conducted work planning to identify projects to focus on for the balance of fiscal year 2021 and beyond. The current Commission has great potential to carry out its statutory roles fully and effectively if not impaired by inadequate funding.

MITSC is currently using its temporary carryover funds to address some tasks that it had previously been unable to undertake. For example, MITSC is employing part-time contractors to conduct a first-ever study under section 6207(8) of the Maine Implementing Act with respect to the impact that fish and wildlife management policies and activities on non-Indian lands have on tribal sustenance rights and activities. In addition, with the help of part-time contract researchers, MITSC recently completed a [Research Report on the 1876 Removal of Article X, Section 5 from Printed Copies of the Maine Constitution](#) (available on the home page of the MITSC website).