

# Maine Indian Tribal-State Commission



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## Testimony Before the Joint Standing Committee on Appropriations and Financial Affairs

and the

## Joint Standing Committee on the Judiciary

February 27, 2023

Good afternoon Senator Rotundo, Representative Sachs, and Members of the Joint Standing Committee on Appropriations and Financial Affairs; Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary. My name is Paul Thibeault, and I am the Managing Director of the Maine Indian Tribal-State Commission, or MITSC. I am here today to testify on the biennial budget bill, LD 258.

The Commission's budget Initiative is on page A-440 of the budget document.

The proposed annual funding of \$268,5000 would enable MITSC to have two full-time employees and part-time contractors for special projects so that MITSC can fully perform its statutory duties.

The annual base funding from the State has been \$111,614. That base funding levels has been flat since 2015. For FY22 and FY 23 additional state funds were provided in the annual amount of \$55,200. Combined with some carryover funds, that temporary increase made it possible for the Commission to add a second full-time staff member (the Projects Coordinator) and to employ temporary part-time contractors for important projects. Use of temporary contractors on various projects and studies enables MITSC to benefit from a wide range of expertise. In FY22 and FY23 MITSC has been able to address matters for which it previously lacked adequate funding. For example, MITSC employed part-time contractors with relevant expertise to conduct the recently completed study and report entitled *Sea Run, A Study Regarding the Impact of Maine Policies on the Quality and Quantity of Traditional Tribal Fish Stocks and Sustenance Practices*. The statutory provisions under which that study was done have been in place since the Settlement in 1980 but MITSC has not previously had the resources to conduct such a comprehensive study. The *Sea Run* report is currently available on the Commission website, [mitsc.org](http://mitsc.org), and we are currently in the process of producing and distributing hard copies. Over the past year MITSC staff and contractors have devoted substantial time and resources to completely redesign the MITSC website as part of a larger project to expand and improve MITSC's capacity as a research and education entity.

While the influx of temporary additional state funding has been appreciated and well-utilized, the uncertainty of adequate sustained funding has continued. As a result, the Managing Director position was cut back to part-time in mid-2022 so that adequate funds would be available for contractors working on projects. MITSC is currently operating with a staff consisting of a 60%-time Managing Director and a full-time Projects Coordinator, supplemented by a limited amount for part-time contractors for special projects and bookkeeping services. As things currently stand, the extra State

funding of \$55,200 per year would not continue beyond June. Without additional funding for FY24 MITSC would again face a difficult financial reality that would likely require more staffing cuts. If state funding is limited to the current base level of \$111,614, then the Commission may be unable to maintain even one full-time staff member, as was often the case in the past.

MITSC is currently working on numerous issues and projects, including distribution and follow-up on the *Sea Run* report, promoting full implementation of the Wabanaki Studies law, active involvement with development and implementation of the new tribal-state consultation process, providing education on the UN Declaration on the Rights of Indigenous Peoples, ongoing study and monitoring of various environmental and natural resources issues that impact both the Tribes and the State, ongoing review and analysis of proposed state and federal legislation, expansion of the MITSC online library, and numerous other tribal-state matters. The relationships between the Wabanaki Tribes and the State encompass a very wide range of issues including but not limited to natural resources, cultural protection, education, health care, public safety, public welfare, and economic development. At various times in the past MITSC has been involved and made recommendations in all those areas. However, the limits of funding and staffing have always impaired MITSC's capacity to fully address many critical issues.

The Commission has stretched its available resources in various ways. As noted, at the end of FY22 the Managing Director position was reduced to 60% time. In July 2022 the MITSC office was relocated to less expensive rental space at the Cobscook Institute. MITSC has used Zoom for meetings to reduce travel and meal expenses. A Commission member who is an attorney donated many hours of pro bono legal work on amicus briefs that MITSC could not otherwise have afforded to prepare. The part-time contractors have been willing to work at reduced rates. MITSC has developed a strong collaborative relationship with the Cobscook Institute which allows MITSC to utilize the Institute's excellent meeting, lodging, and dining facilities at low cost.

The current Commission Members, Tribal and State, are talented and experienced people with a wide range of expertise in natural resources management, business, finance, public policy, law, health care, education, law enforcement, and other fields. The Commission has great potential to carry out its statutory roles fully and effectively if it is not impaired by inadequate funding.

Respectfully Submitted,

Paul Thibeault

Managing Director

