

Testimony of Jensen Bissell
In opposition to LD 294
"An Act to Include a Tribal Member in the Baxter State Park Authority

February 13, 2023

Senator Ingwersen, Representative Pluecker, members of the Committee on Agriculture, Conservation, and Forestry. My name is Jensen Bissell. I am currently a retiree living in Milo. Before I retired, I spent 30 years working for Baxter State Park. I served my last 12 years as Park Director. I'm testifying today in opposition to LD 294, An Act to Include a Tribal Member in the Baxter State Park Authority.

When Percival Baxter was elected to the Maine House of Representatives in 1905, he was 29 years old. He served in the House and Senate before serving as Governor. After his legislative service, he spent the remainder of his life acquiring what we now know as Baxter State Park and methodically giving it away to the People of Maine in Trust.

Although 'State Park' is included in its name, Baxter State Park is in fact the state's largest Public Land Trust. Baxter made 28 separate gifts to numerous Maine legislatures over a 31 year period. Each gift was accepted by those legislatures IN TRUST. The concept of the Trust is a simple one. A donation is made in return for a promise to keep and use the donation in the manner specified by the donor.

In 1939, the Baxter State Park Authority was created through legislation specified by Percival Baxter. Baxter realized he would need a board of trustees to administer the Land Trust he was building. Baxter specified the state's leaders in wildlife management, forestry and law. The Authority has served the Park for more than 80 years and through many difficult issues. The pathway they found through these issues was always based on the donor's wishes for the care and management of the Park.

Baxter wisely limited the Authority to three members. Over the past 80 years, the Authority's votes were not always unanimous, but there was always a decision. A four member Authority could invite tie votes, hampering the Park's ability to function effectively.

Each member of the Baxter State Park Authority, as did all of you, took an Oath of Office when they assumed their duties. Would this requirement be applied as well to the Tribal member proposed by LD 294?

I believe that in adding a member to the Authority, the State of Maine would break faith with the promise to Percival Baxter and the People of Maine to protect and manage the Trust of Baxter Park as we said we would do, 28 separate times. We took the gift in exchange for the promise to always care and use it in the manner specified by the donor, not in some other manner we now deem more appropriate. Trusts like the Park

are durable, but not invincible. It is up to us to keep our promise and honor the Trust.

I have completed both Wabanaki Reach Training and additional training regarding the historical treatment of indigenous peoples in Maine. Like many other Mainer's, I'm ashamed that I didn't ask more questions and listen more carefully decades ago. I think there are many pathways we can, and should follow, to build back the respect, sovereignty and equality that we have gracelessly squandered, but if the pathway includes breaking solemn promises we made and have kept for generations, I think we should look for a better pathway.

Thank you for your time.