



MAINE INDIAN TRIBAL-STATE COMMISSION

COMMITTEE ON HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Testimony of Rachel Bell, Projects Coordinator
Maine Indian Tribal-State Commission

In support of

***L.D. 999, "An Act to Include Employees of the Maine Indian
Tribal-State Commission in State's Group Health Plan"***

April 29, 2025

Senator Bailey, Representative ^{Mathieson} ~~Gramlich~~, and distinguished members of the Joint Standing Committee on Health Coverage, Insurance, and Financial Services. My name is Rachel Bell. I am the Projects Coordinator for the Maine Indian Tribal-State Commission (also known as "MITSC"). Thank you for the opportunity to provide this testimony on behalf of MITSC in support of L.D. 999, "An Act to Include Employees of the Maine Indian Tribal-State Commission in the State's Group Health Plan."

This bill is intended to extend to Maine Indian Tribal-State Commission employees with eligibility to participate in the State of Maine's employee group health plan. The Maine Indian Tribal-State Commission (MITSC) was statutorily created in 1980 as part of the Act to Implement the Maine Indian Claims Settlement Act ("Implementing Act"), 30 M.R.S.A. § 6201 et seq. MITSC is an independent intergovernmental entity comprised of thirteen members; the Governor appoints six commissioners and two commissioners each are appointed by the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, and the Penobscot Nation. The commissioners select a chair to serve as the thirteenth member.

The Commission's principal statutory responsibility is to continually review the effectiveness of the Implementing Act and the social, economic, and legal relationship between the Wabanaki tribal nations and the State, and to make reports and recommendations to the Legislature and the tribal nations as it deems necessary. Additional MITSC statutory duties include:

- (1) recommending the approval of lands to be included in Passamaquoddy Tribe or Penobscot Nation territory,
- (2) enacting fishing rules on certain ponds, rivers, and streams within or bordering Indian territory,
- (3) conducting appropriate studies and making reports about the effect of the implementation of fish and wildlife policies on non-Indian lands to protect Passamaquoddy and Penobscot tribal fisheries, wildlife, and waters,

- (4) investigating petitions to extend the Passamaquoddy Tribe's reservation and making recommendations to the Legislature as to approval,
- (5) reviewing and commenting on proposed state agency policies for collaboration with the Wabanaki tribal nations where an agency's programs, rules, and services substantially and uniquely affect the tribal nation or its tribal members and
- (6) reviewing and providing input on draft competitive solicitations for the development and construction of offshore wind power projects in the Gulf of Maine.

Title 30 M.R.S.A. §6212(4) authorizes MITSC to employ personnel "as it considers necessary and desirable in order to effectively discharge its duties and responsibilities." Section 6212(4) goes on to state, however, "*These employees are not subject to state personnel laws or rules.*" (Emphasis supplied.) Consistent with its independent intergovernmental nature, MITSC is specifically excluded from the State's definition of the term "Board" found at 5 M.R.S.A. § 12002(1)(G). Due to these two statutory provisions, MITSC employees are not eligible to participate in the State of Maine's employee group health plan.¹

Given the increasing number of responsibilities placed on MITSC in recent years, there has been a need to replace consultants and part-time employees with full-time professional staff. MITSC has two full-time employees at present. The previous part-time employee (the Managing Director) obtained coverage through his spouse's employer-sponsored health plan; thus, this issue has not arisen until now.

In the 2024 *Report of the Maine State Government Classification and Compensation Plans Study*, the State of Maine's employee health benefit plan was described as "a platinum-rated plan, particularly in comparison to the private sector."² The study cited Workforce Surveys, which "have shown that the state's generous benefits plan is a significant reason that people apply for and remain a State of Maine employee."³ With the bargaining power of approximately 15,000 employees, the State can provide this "platinum" level of benefits at a cost of at least 20% less than what the private market charges. The lack of health insurance coverage is a barrier to attracting and retaining MITSC employees.

However, the ineligibility of MITSC employees can be remedied with a simple amendment adding MITSC to the list of entities set forth at 5 M.R.S.A. §285 (1), whose employees are deemed eligible for the group health plan. This change would result in a minimum savings to MITSC of \$5,000.00 per year for two employees. This bill would effectuate the amendment needed and treat MITSC employees equitably.

We encourage the Committee to vote OUGHT TO PASS on L.D. 999. Thank you for allowing MITSC to provide this testimony.

¹ The Maine Permanent Commission on Racial, Indigenous, and Tribal Populations shares a similar mission to MITSC of building bridges between state governments and Indigenous communities. PCRITP employees are entitled to participate in the State's group health plan, whereas MITSC employees are excluded.

² *Report and Recommendations of the Maine State Government Classification and Compensation Plans Study*, January 31, 2024, at page 9.

³ *Id.*