

## §6212. Maine Indian Tribal-State Commission

**1. Commission created.** The Maine Indian Tribal-State Commission is established. The commission consists of 13 members, 6 to be appointed by the Governor, subject to review by the Joint Standing Committee on Judiciary and to confirmation by the Legislature, 2 to be appointed by the Houlton Band of Maliseet Indians, 2 to be appointed by the Passamaquoddy Tribe, 2 to be appointed by the Penobscot Nation and a chair, to be selected in accordance with subsection 2. The members of the commission, other than the chair, each serve for a term of 3 years and may be reappointed. In the event of the death, resignation or disability of a member, the appointing authority may fill the vacancy for the unexpired term.

[PL 2009, c. 384, Pt. F, §1 (AMD); PL 2009, c. 384, Pt. F, §4 (AFF).]

**2. Chair.** The commission, by a majority vote of its 12 members, shall select an individual who is a resident of the State to act as chair. In the event of the death, resignation, replacement or disability of the chair, the commission may select, by a majority vote of its 12 remaining members, a new chair. When the commission is unable to select a chair within 120 days of the death, resignation, replacement or disability, the Governor, after consulting with the chiefs of the Houlton Band of Maliseet Indians, the Penobscot Nation and the Passamaquoddy Tribe, shall appoint an interim chair for a period of one year or for the period until the commission selects a chair in accordance with this section, whichever is shorter. The chair is a full-voting member of the commission and, except when appointed for an interim term, shall serve for 4 years.

[PL 2009, c. 384, Pt. F, §2 (AMD); PL 2009, c. 384, Pt. F, §4 (AFF).]

**3. Responsibilities.** In addition to the responsibilities set forth in this Act, the commission shall continually review the effectiveness of this Act and the social, economic and legal relationship between the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and the State and shall make such reports and recommendations to the Legislature, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation as it determines appropriate.

Nine members constitute a quorum of the commission and a decision or action of the commission is not valid unless 7 members vote in favor of the action or decision.

[PL 2009, c. 384, Pt. F, §3 (AMD); PL 2009, c. 384, Pt. F, §4 (AFF).]

**4. Personnel, fees, expenses of commissioners.** The commission may employ personnel as it considers necessary and desirable in order to effectively discharge its duties and responsibilities. These employees are not subject to state personnel laws or rules.

The commission members are entitled to receive \$75 per day for their services and to reimbursement for reasonable expenses, including travel.

[PL 1993, c. 600, Pt. A, §24 (AMD); PL 1993, c. 600, Pt. A, §25 (AFF).]

**5. Interagency cooperation.** In order to facilitate the work of the commission, all other agencies of the State shall cooperate with the commission and make available to it without charge information and data relevant to the responsibilities of the commission.

[PL 1993, c. 600, Pt. A, §24 (AMD); PL 1993, c. 600, Pt. A, §25 (AFF).]

**6. Funding.** The commission may receive and accept, from any source, allocations, appropriations, loans, grants and contributions of money or other things of value to be held, used or applied to carry out this chapter, subject to the conditions upon which the loans, grants and contributions may be made, including, but not limited to, appropriations, allocations, loans, grants or gifts from a private source, federal agency or governmental subdivision of the State or its agencies. Notwithstanding Title 5, chapter 149, upon receipt of a written request from the commission, the State Controller shall pay the commission's full state allotment for each fiscal year to meet the estimated annual disbursement requirements of the commission.

The Governor or the Governor's designee and the chief executive elected leader or the chief executive elected leader's designee of the following tribes shall communicate to produce a proposed biennial budget for the commission and to discuss any adjustments to funding:

A. The Houlton Band of Maliseet Indians; [PL 2009, c. 636, Pt. C, §3 (NEW); PL 2009, c. 636, Pt. C, §4 (AFF).]

B. The Passamaquoddy Tribe; and [PL 2009, c. 636, Pt. C, §3 (NEW); PL 2009, c. 636, Pt. C, §4 (AFF).]

C. The Penobscot Nation. [PL 2009, c. 636, Pt. C, §3 (NEW); PL 2009, c. 636, Pt. C, §4 (AFF).]

[PL 2013, c. 81, §§4, 5 (AMD); PL 2013, c. 81, §6 (AFF).]

#### SECTION HISTORY

PL 1979, c. 732, §§1,31 (NEW). PL 1983, c. 492, §1 (AMD). PL 1983, c. 812, §§186,187 (AMD). PL 1985, c. 295, §§46,47 (AMD). PL 1993, c. 600, §A24 (AMD). PL 1993, c. 600, §A25 (AFF). PL 2001, c. 173, §1 (AMD). PL 2001, c. 173, §2 (AFF). PL 2009, c. 384, Pt. F, §§1-3 (AMD). PL 2009, c. 384, Pt. F, §4 (AFF). PL 2009, c. 636, Pt. C, §3 (AMD). PL 2009, c. 636, Pt. C, §4 (AFF). PL 2013, c. 81, §§1-5 (AMD). PL 2013, c. 81, §6 (AFF).

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