**Maine Indian Tribal-State Commission**

**Wednesday, June 16, 2021**

 **Remote Meeting by Zoom**

**With Audio Stream for the Public**

**Commissioners Present by Zoom**:

Paul Downing, Bob Checkoway, Kevin Hancock, John Banks, Bert Polchies, Sandi Yarmal, Ezekiel Crofton-Macdonald, Sam St. John. Joseph Barnes, Sarah Medina, John Cashwell.

**Staff Present by Zoom**: Paul Thibeault (Managing Director)

**Guests:** Judd Esty-Kendall, Anthony Sutton, Shirley Hager, Kerry Sack

**Public:** By audio stream

**Review of Agenda**

The draft Agenda was reviewed. By consensus, the presentation of two new books was moved up on the agenda.

**Review of Minutes**

The draft Minutes for May 18, 2021 were reviewed.

**Motion: Sarah Medina made a motion to approve the Minutes as drafted. Seconded by Bob Checkoway. The motion was approved unanimously.**

**Financial Report and Managing Director Report**

The three regular financial reports were reviewed. Managing Director Paul Thibeault noted that the potential increase in State funding is still pending. He noted that if the additional funding is approved, he we will be preparing a MITSC budget for FY22 that includes a second employee. He referred the Commissioners to the written Managing Directors Report.

**Motion: Sarah Medina made a motion to approve the Financial Report. Seconded by Kevin Hancock. Approved unanimously.**

**Report on the Sustenance Fishing Study-** Judd Esty-Kendall reported on the status of the study. He referred to the written materials that were provided prior to the meeting. Judd responded to questions and comments from the commissioners.

Note: Commission Member John Cashwell left the meeting at approximately 10 am.

**Report on Broadband Issues-** Paul Thibeault, Bob Checkoway, and Sandi Yarmal provided a brief update on developments regarding improved broadband services for the tribal communities. The Managing Director will send a letter to the Tribal Chiefs, asking if they would like MITSC to play a role in facilitating communication between tribal staff and other entities who are working on broadband initiatives.

**Proposals to Amend the Maine Implementing Act**- The Commissioners had a lengthy discussion regarding the Task Force Recommendations and LD 1626. They discussed whether to move forward with a vote on the prior motion to endorse LD 1626. It was noted that the Task Force process was comprehensive, that it had addressed many of the same issues that MITSC had worked on in the past, and it was suggested that the entirety of the process and work product of the Task Force should be respected by MITSC. Questions were posed as to whether LD 1626 as drafted accomplishes the purposes of the Task Force Recommendations, and will it avoid unintended consequences. It was suggested that a vote on LD 1626 should be accompanied by commentary that explains MITSC’s understanding of the consequences of the jurisdictional changes and identifies tribal-state jurisdictional issues that will not be resolved by enactment of LD 1626 as currently drafted. It was noted that tribal trust lands in various parts of the State that are not contiguous to the Reservations present different jurisdictional issues than the Reservations or contiguous tribal lands. It was also noted that the Tribes have actually been more protective of natural resources and the environment than the State has been.

**Note**: Chairperson Paul Downing left the meeting at approximately 11 am. Commission Member John Banks was designated as acting chairperson to continue the meeting. A quorum of nine (9) Members was still present.

**Motion: Kevin Hancock made a motion that MITSC endorse the Task Force Recommendations and also endorse LD 1626, An Act Implementing the Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act.** **Seconded by Bert Polchies. Further discussion was held amongst the Commissioners who were present. It was again urged that a vote be accompanied by commentary. In response, it was noted that the Maine Legislature will not be taking LD 1626 back up until the next legislative session, that it is likely that the language of the bill will continue to evolve in the interim, and that another public hearing will be held at which MITSC could present analysis of LD 1626 as it stands at that time. It was also suggested that in the coming months, MITSC could prepare commentary that explains the Commission’s analysis of the bill as it is currently drafted and/or as it evolves. It was noted that even if a vote were held now, Commissioners would be free to bring later motions regarding the Commission’s position on LD 1626.**

**The meeting was opened to comments from the public. Two members of the public joined the Zoom and offered comments in support of LD 1626. The Commissioners had further discussion. The absence of four commissioners was noted. Possible modifications of the motion were discussed but no changes were made to the motion.**

**The motion by Kevin Hancock to endorse the Task Force Recommendations and also endorse LD 1626, An Act to Implement the Recommendations of the Task Force on Changes, was called to a vote. A quorum of nine (9) was present with representatives of all the governments present, as required by the MITSC By-Laws. Seven (7) Members voted in the affirmative. Two (2) Members abstained. The motion passed.**

**Format of Future Meetings-** By consensus, future meetings of the Commission will be conducted in person.

**Motion to Adjourn- Bert Polchies made a motion to adjourn. Seconded by Zeke Crofton-Macdonald. All voted in favor, and the meeting was adjourned.**