

PROPOSED AGENDA

FOR SEPTEMBER 13, 2019 MEETING OF THE

TRIBAL-STATE TASK FORCE ON AMENDING MAINE'S ACT TO IMPLEMENT THE INDIAN LAND CLAIMS SETTLEMENT AND RELATED AMENDMENTS TO THE MICMAC SETTLEMENT ACT

I. **Introductory Remarks (Tribal Leaders)**

A. Recap of the Joint Resolution of the Legislature:

- “to recognize that the Maine tribes should enjoy the same rights, privileges, powers and immunities as other federally recognized Indian tribes within the United States” and
- “to support a collaborative process to develop amendments to An Act to Implement the Maine Indian Claims Settlement and the federal Maine Indian Claims Settlement Act of 1980 that would clarify that the Maine tribes enjoy the same, rights, privileges, powers, and immunities as other federally recognized Indian tribes within the United States.”

B. Recap of Tribes' response to Hon. Troy Jackson and Hon. Sara Gideon's request for the Tribes' to outline their expectations:

“For this process to work, there must be a commitment to accomplish the following as to all Tribes:

1. Amendments to section 6204 of the MIA and section 7203 of the MSA . . . to establish that the laws of the State shall not apply to the Tribes or their respective lands, except as agreed by the State and the Tribes or as provided by federal law;
2. Amendments to section 6206 and 6206-A of the MIA and section 7205 of the MSA . . . to confirm that the Tribes shall exercise and enjoy the same rights, powers, privileges, and immunities as other federally-recognized Indian tribes, except as agreed to by the State and the Tribes; and
3. Amendments to section 6206 and 6206-A of the MIA and section 7205 of the MSA . . . to confirm that the Acts of Congress intended to benefit federally-recognized Indian tribes in general apply to the Tribes and their lands, except as otherwise agreed by the State and the Tribes.”

C. Recap of the Task Force's work to date, bringing us to this meeting.

1. Three meetings that have resulted in extensive work by the Tribes to set forth amendments that are true to the Legislature's Joint Resolution and the above-stated requirements for this process to work.

2. The Chairpersons' request that the Tribes' provide the Task Force with summaries of how federal Indian law operates with respect to certain subject matters with some comparison to the current law under MIA and MSA. The Task Force also requested that Paul Thibeault, Esq. provide some history behind the Maine Indian Land Claims Settlement.

II. Historical Overview (Attorney Thibeault, Executive Director, MITSC)

III. Summaries of the Operation of Federal Indian Law (Tribal Attorneys) (See Written Summaries for Guidance)

A. The Civil Jurisdiction of Tribes and States Under Federal Indian Law

1. Example 1: Jurisdiction Over The Generation of Governmental Revenue Through Gaming
2. Example 2: Jurisdiction Over The Protection and Exploitation of Natural Resources, Including Hunting, Trapping, and Fishing

B. Criminal Jurisdiction

1. Example: Violence Against Women

C. Other Summaries to be Discussed at Future Meetings

IV. Going Forward: How to Ensure That This Task Force is Successful

V. Time and Location for Next Meeting