OFFICE OF
THE GOVERNOR

NO. 21 FY 11/12
DATE August 26, 2011

AN ORDER RECOGNIZING THE SPECIAL RELATIONSHIP BETWEEN THE STATE OF MAINE AND THE SOVEREIGN NATIVE AMERICAN TRIBES LOCATED WITHIN THE STATE OF MAINE

WHEREAS, the State of Maine is a sovereign state in its own right;

WHEREAS, the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs, and the Houlton Band of Maliseets are sovereign nations in their own right;

WHEREAS, the unique relationship between the State of Maine and the individual Tribes is a relationship between equals;

WHEREAS, the individual members of the Tribes are citizens of State of Maine; and

WHEREAS, the State and Tribes should work together as one to solve issues facing all Maine citizens;

NOW, THEREFORE, I, Paul R. LePage, Governor of the State of Maine, hereby order as follows:

1. Every Department and Agency of State Government shall develop and implement a policy that:

    a. Recognizes the relationship among sovereigns that exists between the State of Maine and Maine's Native American Tribes;
    b. Promotes effective two-way communication between the State and the Tribes;
    c. Enables the Tribes to provide meaningful and timely input into the development of legislation, rules, and policies proposed by the State agency on matters that significantly or uniquely affect those Tribes;
    d. Establishes a method for notifying employees of the State agency of the provisions of this Executive Order and the policy that the State agency adopts pursuant to this section; and
    e. Encourages similar communication efforts by the tribes.

2. Every Department and Agency of State Government shall designate a "Tribal Liaison" to facilitate effective communication between the State and the Tribes.

3. The duties of the "Tribal Liaison" shall include:

    a. Establishment of a communications plan to facilitate information sharing between the State agency and Tribal government;
    b. Creating and adopting standard operating procedures to engage Tribal Governments at the earliest possible juncture of the development of any legislation, rules, and policies proposed by the State agency on matters that significantly or uniquely affect those Tribes;
    c. Advising the Chief Executive of the State agency of issues of concern to the Tribes and the impact on the Tribes of proposed legislation, rules, and policies; and
    d. Other such duties as the Department or Agency may require.

4. In delivering necessary services, every Department and Agency should strive to partner with the Tribes to utilize existing resources to efficiently provide services. Further, Departments and Agencies shall take into consideration the traditions and customs of the Tribes to prevent unnecessary interference.

5. Nothing in this Order creates any right, benefit, or trust responsibility, substantive or procedural, enforceable at law by a party against the State of Maine, its agencies, or any person. This order simply recognizes the unique and distinct Tribal Governments in Maine and a process for communicating on an equal level. This order supersedes Executive Order 06 FY 10/11.

The effective date of this Executive Order is August 26, 2011.

Paul R. LePage

Paul R. LePage, Governor