



Senator Anne Carney  
Representative Matt Moonen  
Joint Standing Committee on the Judiciary  
100 State House Station  
Augusta ME 04333

March 6, 2023

Dear Senator Carney, Representative Moonen, and distinguished members of the Judiciary Committee,

The Appalachian Mountain Club strongly supports LD 78, *Resolution, Proposing an Amendment to Article X of the Constitution of Maine Regarding the Publication of Maine Indian Treaty Obligations* and LD 578 *Resolution, Proposing an Amendment to the Constitution of Maine Concerning the Publication of Maine Indian Treaty Obligations*. We appreciate Speaker Talbot Ross and Senator Bennett for bringing them forward.

AMC is the nation's oldest conservation, recreation, and education organization, with the mission to foster the protection, enjoyment and understanding of the outdoors. We have 6,600 members in Maine and own 100,000 acres of forestland in the 100-Mile Wilderness region of Piscataquis County, managed for multiple use including sustainable forestry, backcountry recreation, and environmental education.

As a participant in the First Light Learning Journey, we have gained a new perspective on the history of the place we now call Maine. These two bills address a troubling piece of that history.

In choosing to separate from the Commonwealth of Massachusetts in 1920, the citizens of Maine freely took on obligations to the indigenous people living here. Specifically, the 1820 constitution read:

*The new state shall, as soon as necessary arrangements can be made for that purpose, assume and perform all the duties and obligations of the Commonwealth, toward the Indians within said District of Maine, whether the same arise from treaties, or otherwise; and for this purpose shall obtain the assent of said Indians, and their release to this Commonwealth of claims and stipulations arising under the treaty at present existing between the said Commonwealth and said Indians;*

Yet for nearly 150 years the State of Maine has hidden its obligations by preventing the printing of that section of its constitution. While the amendment made clear that "section five shall remain in full force", the passing of time has meant that most people are unaware of the State's obligations.

Printing Article X, Section 5 will not automatically and immediately improve relations between the State of Maine and the Wabanaki, yet it is important. Printing that section of the constitution is a small step the state can take to improve those relations, an act of transparency which simultaneously acknowledges longstanding obligations and removes suspicions over their being hidden. Further, asking the voters of Maine to ratify the proposed amendment is a "teachable moment"—an opportunity to discuss and reflect on the history of the relationship between the state and the Wabanaki, its current condition, and the benefit to all of us in improving it.



A December 2022 report from the Harvard Project on American Indian Economic Development found that the Wabanaki's inability to access federal policy has left them far worse off economically relative to their peers across the country. The Wabanaki suffer from lower incomes, higher rates of unemployment and higher rates of child poverty relative to either all Maine residents or other tribes. These challenges affect not just those who directly experience them, but all of us.

If we want to live in a healthy community where everyone can thrive, we should take steps to improve the well-being of our Wabanaki neighbors, and to improve the relationship between the State of Maine and the tribes. LD's 78 and 578 are not cure-alls, but they are a reasonable start.

Sincerely,

Eliza Townsend  
Maine Conservation Policy Director