

Testimony of the Wabanaki Alliance in support of
LD 78 RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine
Regarding the Publication of Maine Indian Treaty Obligations &
LD 578 RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning the
Publication of Maine Indian Treaty Obligations
Presented for the Public Hearing Before the Maine Legislature's Judiciary Committee
March 7, 2023

Sen. Carney, Rep. Moonen, and members of the Joint Standing Committee on the Judiciary; my name is John Dieffenbacher-Krall. I reside in Old Town, and I am the Executive Director of the [Wabanaki Alliance](#). The group was founded in June 2020 by the five federally recognized nations in what we today call the State of Maine, the Houlton Band of Maliseet Indians, Mi'kmaq Nation, Passamaquoddy Tribe at Motahkmikuk, Passamaquoddy Tribe at Sipayik, and Penobscot Nation. The Wabanaki Alliance was created to educate the people of Maine about the need for securing the sovereignty of Wabanaki Nations.

The Wabanaki Alliance 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 thank Speaker Rachel Talbot Ross and Senator Rick Bennett for introducing these bills.

In the Wabanaki Nations continual work to educate settler people and institutions about Wabanaki inherent sovereignty, ensuring people understand the history and the commitments and obligations settler governments made to the Original Peoples and Nations of this land is an essential condition for a healthy Wabanaki/State of Maine relationship. Omitting the printing of Article X, Section V of the Maine Constitution deprives people from knowing that the State of Maine pledged as a condition of statehood to “assume and perform all the duties and obligations of this Commonwealth, towards the Indians within said District of Maine, whether the same arise from treaties, or otherwise;” At the most basic level, these bills would make our Maine Constitution more transparent increasing the likelihood current and future residents of this state do understand the obligations of the State of Maine to the Wabanaki Nations.

Detractors of these bills may say they change nothing. They would be correct to the extent Article X, Section V remains in effect. What passage of LDs 78 and 578 would accomplish should they succeed through the entire process of amending the Maine Constitution is people could much more readily access this information. All people who support the rule of law and the primacy of the Maine Constitution in considering matters of Maine law should strongly support these resolutions.

The Wabanaki Alliance urges the Judiciary Committee to vote ought to pass on this bill.