



Maine Conservation Voters
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**Testimony of Maine Conservation Voters
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” March 7, 2023**

Good afternoon Senator Carney, Representative Moonen, and members of the Judiciary Committee. My name is Beth Ahearn and I am Director of Government Affairs for Maine Conservation Voters, a nonprofit organization with over 13,000 members and supporters committed to protecting our environment, democracy, and climate future. I am pleased to submit testimony 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.”

Thank you to Speaker Talbot Ross for introducing this Resolution and to Senator Bennett, who sponsored LD 578, which aimed to do the same thing. This resolution would amend the Maine Constitution to require that the text of Article X, Section 5 of the Constitution, which describes our State’s obligations to the tribes of Maine, be included in any printed copies of the Constitution. This obligation language was removed in 1876, ostensibly to pare down and make Maine’s constitution more accessible. Section 5 has, and has always had, the full force of law. Yet one would not know that because the language is not there.

The Resolution before you would replace language, written in 1820, when Maine separated from Massachusetts and became a state under the Missouri Compromise: *“The new State [Maine] shall, as soon as the necessary arrangements can be made for that purpose, assume and perform all the duties and obligations of this Commonwealth [Massachusetts], towards 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.’”*

I have no evidence that this language was removed for nefarious purposes, but replacing it is clearly the right thing to do. We do not hide from our history; rather we can learn from it and grow together as a state. The language was never legally removed from the Constitution, just omitted from printed versions since 1876. Replacing the language would provide honesty and transparency concerning Maine's original obligations to the Tribes, which outweighs any justification for keeping it omitted.

I urge you to vote unanimously "Ought to Pass" on LD 78. Thank you for your time in reading this testimony.