

Lucy McCarthy
Vinalhaven
LD 2007

Testimony in support of LD 2007, An Act to Advance Self-determination for Wabanaki Nations

To: Sen. Carney, Rep. Moonen, and Members of the Joint Standing Committee on Judiciary From: Lucy McCarthy, 133 East Main St., Vinalhaven, Maine

Dear Senator Carney, Representative Moonen, and members of the Judiciary Committee, my name is Lucy McCarthy and I live in Vinalhaven.

Over the past 5 years I have been paying attention to the Sovereignty Debate. I have not seen one convincing statement from the legislators or the Governor as to why Maine should keep the status established in 1979 for working with the tribes of Maine.

On the other hand, I have read the full report from the Harvard School of Government "Economic and Social impacts of Restrictions on the applicability of Federal Indian Polices to the Wabanaki Nations In Maine". The study organizes data from 570 tribes in the lower 48 states since 1980 – when federal policy changed for Federally recognized tribes. I assume the committee has read Dr Kalt's report – and seen the startling graph showing the tribes in Maine not benefitting from the Federal Policy. The State also has not benefitted economically as have the other the states which recognize sovereignty.

As you are well aware the State of Maine treats the tribes here as municipalities rather than all other states in the lower 48 consider the tribes as sovereign nations.

"Maine Indian Land Claims Settlement Act, MICSA, provides that any federal law enacted for the benefit of Indian tribes which would affect the application of Maine state law does not apply in Maine and to the Wabanaki Nations unless the US Congress explicitly makes that law applicable in Maine." Harvard Report. The four tribal nations in the state are considerably less well of than the other 570 tribal nations in the US. The results are in - this model is a failure for the Tribes and the State. As the Harvard report states – the Tribes have nowhere to go but up.

When MICSA and the Implementation Act were enacted in 1979 it was stated by the legislators working on these policies that these are "living documents". These are not constitutional set-in stone regulations – these are agreements that can and I would argue must be changed. There is now data that supports the necessity of the State to change the status of the Tribes and establish sovereignty.

LD 2007 paves the way for cooperation with the tribes on State and Town levels of government. It allows for the Tribes to expand Trust lands as promised in the Settlement Act. Tribes will pay in lieu of tax payments. Natural Resource conservation and regulation will be a cooperative venture.

Please pass LD 2007 and improve the state and tribal relations by having the Tribes be treated similarly to all the other Federally recognized Tribes in the lower 48. The current model is a failure; and unjust.

Respectfully,
Lucy McCarthy