

Dane Courtois
Hiram
LD 958

Honorable Members of the Judiciary Committee,

I present this testimony as a Mainer deeply committed to liberty and the sanctity of property rights, respectfully urging you to support LD 958. This bill offers a commendable safeguard for tribal lands against the troubling practice of eminent domain, providing well-deserved protection to the Passamaquoddy, Penobscot, and other tribal communities. While I applaud its intent, I must express concern that it falls short of addressing the broader injustice of eminent domain—a practice I view as government-sanctioned theft, unjustly taking land from rightful owners under the guise of public benefit. I support this measure for tribal lands, but I humbly ask you to consider extending such protections to all Mainers.

Property rights are fundamental, the foundation of personal autonomy: my home and my efforts belong to me, not to any governmental authority. Eminent domain, however, permits the state to seize private property, offering only nominal payment while claiming it serves a greater good. LD 958 rightly prohibits this on tribal lands, a step I wholeheartedly endorse. The tribes have faced enough hardship; their property should not be subject to such takings. Yet, I wonder why this protection doesn't reach every Mainer's doorstep. This bill is a positive move, but it leaves a larger issue unresolved.

Liberty should be universal, not selective. If eminent domain is unjust on tribal lands—and I firmly believe it is—it is equally unjust everywhere. Under Title 35-A, Section 3136, utilities can take land for power lines, and Title 23, Section 3023 allows municipalities to do the same for highways, both with the promise of “just compensation.” But compensation cannot fully repair the loss of one's land, taken against one's will. In 2023, the state considered properties statewide for development projects, displacing families and disrupting lives for what officials deemed necessary. LD 958 shields tribal lands from this fate, which is just, but it leaves others vulnerable to the same loss. I respectfully ask: why should any Mainer face such an intrusion? The justification of “public good” rings hollow to me. Whether it's a road, a utility line, or a project benefiting a private entity, these takings serve the state's priorities, not mine. My land is my own, not a resource to be claimed at will. Tribal lands deserve this exemption—their sovereignty demands it—but so does every property owner in Maine. Other states have taken steps to limit eminent domain; Maine could lead by example, and LD 958 is a start, though not the full solution I believe we need.

I respectfully urge the Judiciary Committee to pass LD 958 and protect tribal lands as this bill intends. It's a fair and necessary measure. However, I also encourage you to look beyond this to the wider problem—eminent domain itself is an affront to liberty, a form of theft that no Mainer should endure. My property, their property—it belongs to us, not the state. Please support this bill, and then consider a broader stand to end this practice entirely. Thank you for your thoughtful consideration of this important matter.

Sincerely,
Dane Courtois