



Maine Conservation Voters

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**Testimony in support of LD958, *An Act to Prohibit Eminent Domain on Tribal Lands*
April 4, 2025**

Senator Carney, Representative Kuhn and distinguished member of the Joint Standing Committee on Judiciary, my name is Cathy Breen. I am the Director of Government Affairs at Maine Conservation Voters (MCV), a statewide non-profit organization with 13,000 members and supporters that is building a just, thriving future for all by acting on the climate crisis, protecting the environment, and safeguarding our democracy. MCV is a proud member of the Wabanaki Alliance Coalition, comprised of more than 300 businesses and organizations that support Wabanaki inherent sovereignty and help advance the work of the Wabanaki Alliance, a 501(c)(4) nonprofit organization of Wabanaki nations in Maine created in June 2020. I'm speaking in support of **LD958, *An Act to Prohibit Eminent Domain on Tribal Lands***.

This bill amends the 1980 Act to Implement the Maine Indian Claims Settlement (also known as the Maine Implementing Act or MIA) and the 2023 Mi'kmaq Nation Restoration Act to prevent the state from seizing Wabanaki Nations' land for public uses. It prohibits the State of Maine from seizing Wabanaki tribal lands through eminent domain. "Eminent domain" refers to the government taking private property and putting it into public use. Under the Fifth Amendment of the United States Constitution, the government must pay "just compensation" for the property it takes. Federal law protects most tribal nations from state-level eminent domain, but the 1980 Settlement Acts have resulted in the Wabanaki Nations in Maine being unfairly excluded from these federal protections.

Maine has already exercised its power of eminent domain, inflicting harm on Wabanaki lands when it seized the land it needed for Maine Route 190 in 1925. This two-lane road from Eastport to Perry cuts through the heart of the Passamaquoddy Reservation at Sipayik. The state did not consult with the Passamaquoddy Nation in this transaction. LD958 would make sure that doesn't happen again.

LD958 is one small step forward in the decades-long effort to restore justice and fairness to the Wabanaki Nations. This bill respects sovereignty and it prevents future injustices. LD 958 restores the fundamental principle that the Wabanaki Nations are sovereign governments with inherent power to regulate their territories. We encourage you to vote "Ought to Pass," and we thank you for your consideration.