



**Testimony before the Judiciary Committee in support of: L.D. 958, An Act to Prohibit Eminent Domain on Tribal Lands**

**April 4, 2025**

Senator Carney, Representative Kuhn, and members of the Judiciary Committee, my name is Sean Mahoney, and I am the Vice President and senior counsel of the Conservation Law Foundation (CLF). CLF submits this testimony in support of L.D. 958, *An Act to Prohibit Eminent Domain on Tribal Lands*.

CLF, founded in 1966, is a public-interest advocacy group that works to solve the environmental challenges that threaten the people, natural resources and communities in Maine and across New England. In Maine for almost four decades, CLF is a member-supported organization that has worked to ensure that laws and policies are developed, implemented and enforced that protect and restore our natural resources, are good for Maine's economy and environment, and address the climate crisis in a manner that recognizes the fierce urgency of the crisis.

For hundreds of years, the Wabanaki Nations for whom this land was home long before Europeans first set foot here have experienced the horrific effects of colonization, dispossession and cultural genocide. As an organization focused on protecting the environment for all people, CLF believes that it is essential that communities that have been disempowered, taken advantage of, marginalized, discriminated against and/or environmentally overburdened and underserved be empowered to chart their own future in a manner that redresses those injustices. That is particularly the case with respect to the Wabanaki Nations who have endured such treatment since Europeans arrived here at least four centuries ago.

The relationship between the State of Maine and the Wabanaki Nations will never fully be what it rightfully should and must be without changes to its structure, in particular restoring and respecting the sovereignty of the Wabanaki Nations. LD 958 is another step on the path to achieving that end and we support it.

A century ago, Maine, using the unfettered power of eminent domain, took land belonging to the Passamaquoddy Reservation at Sipayik in order to build Route 190. The Passamaquoddy Tribe had no voice in that action and were left to watch their community literally cut in half. This bill will ensure that such action will never happen again. Indeed, the bill supports a collaborative and not a one-sided process by which the State, Tribes and the public would have to consult and reach mutual agreement on how best to achieve the public benefit underlying the need for eminent domain.



We recognize and support the sovereignty and rights to self-determination of the Wabanaki Nations and believe that righting the wrong that today is the Maine Indian Claims Settlement Implementing Act is long overdue. LD 958 is another step on the path toward redressing the wrongs of the past. There remains much work to be done, and it will take many years, but we cannot miss the opportunity to take this meaningful step toward reconciliation.

We urge this Committee to vote ought to pass on LD 958.