



Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on the Judiciary, my name is Lisa Margulies, I serve as Vice President of Public Affairs, Maine, for Planned Parenthood of Northern New England, and I am submitting testimony in support of LD 958.

Planned Parenthood of Northern New England provides comprehensive reproductive and sexual health care in approximately 10,000 visits per year in Maine at four health centers located in Biddeford, Portland, Sanford, and Topsham, as well as online via telehealth. People turn to us for affordable, high-quality care including wellness exams, birth control, disease testing and treatment, cancer screenings, behavioral health care, abortion care, gender-affirming care, as well as a variety of primary care services.

As a mission driven health care provider, we fundamentally believe everyone should be able to access affordable, high quality sexual and reproductive health care in their communities, no matter where they live or how much money they make, and we advocate for policies that help make this vision a reality. All people deserve to access comprehensive reproductive health care, including abortion and gender-affirming care, free from shame, stigma, and intimidation. We see everyone who comes to us regardless of ability to pay, and in a typical year, we provide more than \$1.2 million in free and discounted care to our communities in Maine. For many, we are their only access to the health care system.

Planned Parenthood of Northern New England has strongly supported this body's efforts to address our state's current and historic racial inequities, the impact of which reverberate throughout the state, including in the field of public health. LD 958 represents a vital opportunity for the State of Maine to fundamentally realign its relationship with the Wabanaki Nations, correcting long-standing historical inequities by recognizing the tribes' inherent rights to self-governance.

The ability to control the disposition of tribal lands is inherent to the concept of tribal sovereignty. By removing the state's ability to seize tribal land through the use of eminent domain, this bill would extend to the Wabanaki Nations a protection already afforded to almost all other federally recognized tribes. Though Federal law protects most tribal nations from state-level eminent domain claims, the Wabanaki Nations in Maine are excluded from these protections; this represents a decades-long injustice which must be rectified.ⁱ

The historical record of Maine's relationship with the Wabanaki people demonstrates the clear need for this legislation. Most notably, in 1925 the state of Maine used eminent domain to seize land on the Passamaquoddy Reservation at Sipayik during the construction of Maine Route 190, resulting which road bisects the heart of Passamaquoddy tribal lands.

The rights to self-determination and self-governance are fundamental to our conceptions of human rights and liberty and must apply to all people. In restoring the inherent rights of the



Passamaquoddy Tribe, the Penobscot Nation, the Mi'kmaq Nation, and the Houlton Band of Maliseet to self-govern within their respective territories in accordance with the same federal laws that generally govern tribal lands elsewhere in the United States, LD 958 allows the tribes to determine their communities' futures on their native lands without interference from the state. If a project utilizing tribal lands benefits the public, the state can and should work with tribal leaders to find a cooperative solution. This bill is not a roadblock to development or infrastructure improvement, it is instead a protective measure to guarantee consultation and mutual agreement before any action is taken on tribal lands ensuring that the tribes have a voice in the utilization of their own territories.

We must also acknowledge that the denial of self-governance for tribes is inextricably linked to the denial of reproductive autonomy embedded in the history of the State of Maine and its relations with Maine tribes. Reproductive oppression in Maine has taken many forms, but at its core is the denial of self-determination and agency. Forced sterilization, child apprehension, forced evacuation, and the total and complete loss of decision-making about one's health and body are real and painful chapters of our history. Today, reproductive oppression is more insidious, but we do not have to look far to see how laws aimed at restricting access to reproductive and sexual health care continue to harm.

To help right these wrongs, we support and advocate for reproductive justice, which is broadly understood as "the complete physical, mental, spiritual, political, social, and economic wellbeing of women and girls."ⁱⁱ Put simply, reproductive justice is the human right to have personal bodily autonomy, have children, not have children, and parent children in safe and sustainable communities. Indigenous communities have always been a central part of the reproductive justice movement.

The road to reproductive justice in Maine runs through LD 958 and the right to self-determine and self-govern for Maine tribes. I urge the members of this committee vote "Ought to Pass" on LD 958.

ⁱ Singer, Joseph, "States may not take tribal land by eminent domain", *Property Law Developments*, June 14, 2017, <https://faculty.law.harvard.edu/joseph-singer/2017/06/14/states-may-not-take-tribal-land-by-eminant-domain/>

ⁱⁱ Chukwudi Onwuachi-Saunders, *Reproductive Rights, Reproductive Justice: Redefining Challenges to Create Optimal Health for All Women*, *Journal of Healthcare, Science and the Humanities*, Summer 2019, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9930478/>