

4/4/2025

Dear members of the Judiciary Committee,

I am Magili Chapman Quinn, DO of Scarborough, ME. I am testifying in support of the LD 958 An Act to Prohibit Eminent Domain on Tribal Land.

I have been opposed to the concept of Eminent Domain for as long as I can remember. The concept is very much a direct descendant of colonialism, the devastating effects of which we are still trying to reconcile and repair. We now know better, let us do better.

When I was a physician in Eastport, ME 2006-2008 I would drive Rt 190 almost daily through Sipayik, Passamaquoddy homelands, taken by Eminent Domain in 1925 without consent or discussion with the tribe. My friend and mentor Deanna Francis DO, tribal Elder and fellow Osteopathic physician, was directly affected, as were all community members, by this decision to carve up the small community that existed. A major roadway through the middle of their small community created traffic noise, danger for pedestrians, access for unwelcome visitors, and a constant reminder of their way of life being continuously endangered and devalued by dominant culture.

The 1980 Settlement Acts resulted in Wabanaki Nations in Maine being left out of the Federal law that protects most tribal nations from state-level seizure of land, without consultation. LD 958 would restore fairness and respect to Wabanaki Nations' relationship with their lands and their sovereign rights as independent nations to steward and govern as they see appropriate.

LD 958 would set the stage for collaborative decision making between Tribal Nations and the State of Maine. Given the circumstances of history of our forebears with the original stewards of Wabanaki Land, any chance to restore sovereignty to Tribal Nations in these matters is paramount. Allowing for State leaders and Tribal leaders to come to mutually agreeable decisions regarding land seems the only path forward morally and ethically, as well as ecologically and economically.

It is well established that the stewardship practices of the Wabanaki Nations that have developed over thousands of years provide crucial insights on decisions regarding land management that the State of Maine can only benefit from. It would behoove the state to realize and humble itself in this way, creating partnerships moving forward that if tended mindfully, will undoubtedly benefit all residents of these lands and generations to come. These partnerships seem even more important at this landmark juncture in time, in the climate crisis we are facing.

All federally recognized Tribes are allowed exemption from these Eminent Domain practices. Wabanaki Nations should take their rightful place alongside these tribes and no longer be excluded. Thank you for considering this testimony in your decision making process on LD 958. Please advance this bill as it's in the overall best interest of our beloved home.

- This bill restores fairness and respects Wabanaki Nations' sovereignty over their lands. No one should have their land taken without consultation or agreement. LD 958 removes the state of Maine's power to take Wabanaki Nations' tribal land through eminent domain, a protection already afforded to almost all other federally recognized tribes.
- Taking tribal land without consultation is against federal policy. 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.
- History shows the harm of eminent domain on Wabanaki lands. Maine Route 190, which cuts through the heart of the Passamaquoddy Reservation at Sipayik, was taken by eminent domain in 1925—a decision made without tribal input. LD 958 would ensure that no such action happens again without tribal consultation.
- This bill encourages collaboration, not conflict. If a project could truly benefit the public, the state, and the tribes, the state should work with tribal leaders to find a solution. This legislation is a protective measure to guarantee consultation and mutual agreement before any action is taken on tribal lands. It ensures the tribes have a voice.
- Bottom line: LD 958 is a step towards justice and fairness. The Wabanaki Nations should not be treated differently from other federally recognized tribes. This bill ensures fairness, respects sovereignty, and prevents future injustices. LD 958 restores the fundamental principle that the Wabanaki Nations are sovereign governments with inherent power to regulate their territories.