

To: Sen. Carney, Rep. Kuhn, and Members of the Judiciary Committee  
From: Stephen Majercik, 15 Beech Dr., Brunswick, ME, 04011  
Re: Testimony in support of LD 958:  
    An Act to Prohibit Eminent Domain on Tribal Lands

We take, and we take, and we take. When will we stop taking from the Wabanaki Nation? We took their land. We took their resources. We even took scalps. Yes, in the mid-18th century, colonial authorities in New England issued proclamations offering bounties for the scalps of Wabanaki people.

Regarding land, Maine is using eminent domain to take back the lands we gave them. 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. LD 958, An Act to Prohibit Eminent Domain on Tribal Lands , would encourage 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.

Let me take this one step further, with a thought experiment illustrating the injustice of this. Suppose the state of Maine decided that St. Stephen, a Canadian town just across the border between Maine and New Brunswick, would be a good place for a new park and decided to use eminent domain to seize the land. The absurdity is immediately obvious. International law and the concept of national sovereignty make it clear that one nation cannot simply annex a piece of a foreign country (although we know that Donald Trump would probably not let that stand in the way of his “We want it, we take it” mindset). If Maine wanted Canadian land, the proper channels would involve negotiations between the U.S. federal government and Canada, likely with treaties and payments, not a unilateral decree from the Maine State House. Such disputes between nations cannot be solved by one side simply declaring ownership.

The Wabanaki Nation should be treated no differently. LD 958 ensures fairness, respects sovereignty, and prevents future injustices, and it restores the fundamental principle that the Wabanaki Nations are sovereign governments with inherent power to regulate their territories.

Thank you for considering my testimony.

Stephen Majercik  
Brunswick  
LD 958

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