



SUIT UP MAINE

February 18, 2026

Sen. Carney, Rep. Kuhn, and members of the Joint Standing Committee on Judiciary:

My name is Kelli Whitlock Burton and I am a resident of Waldoboro and co-leader of Suit Up Maine, an independent, all-volunteer constituent action group representing thousands of Mainers in all 16 counties. I offer this testimony in support of LD 785, “An Act to Advance Self-Determination for Wabanaki Nations.”

For more than four decades, the state of Maine has used language from the 1980 *Maine Indian Claims Settlement Act (MICSA)* and its corresponding federal legislation to treat the Wabanaki Nations as municipalities, depriving them of inherent sovereignty they never ceded to the state. The Houlton Band of Maliseet Indians, Mi’kmaq Nation, Passamaquoddy Tribe, and Penobscot Nation are the only federally recognized tribes in the country to be treated in this way.

Under MICSA, Maine has exerted a level of jurisdiction over tribal affairs not found in any other state, denying the Wabanaki Nations’ authority to self-govern in direct conflict with the foundations of Federal Indian Law. Tribes in Maine have been unable to benefit from more than 150 federal laws passed since 1980, missing out on opportunities for economic development, increased access to health care, expanded environmental protections, enhanced K-12 education, and legislation that fostered job creation, ensured safe drinking water, and strengthened laws regarding prevention and prosecution of sexual assault and domestic violence.

LD 785 would make substantial changes to the Settlement Act by implementing many of the 22 consensus recommendations developed by the bipartisan Task Force on MICSA created in 2019 by the Maine Legislature. The recommendations cover tribal court jurisdiction; hunting, fishing and natural resource regulation on tribal land; taxation authority; and trust land acquisition – areas the Task Force cited as the cause of long-standing conflict between the tribes and the state that have resulted in 40 years of lawsuits and fractured tribal-state relations.

We agree with tribal leaders, who argue that the act is a “failed experiment” and with a 2012 report from the Maine Indian Tribal-State Commission, which found that the settlement “created structural inequities that have resulted in conditions that have risen to the level of human rights violations.”

LD 785 would benefit all of Maine, by allowing the Wabanaki Nations to join a 30-year economic boom in Indian Country that has benefited almost every other state. According to a report from Harvard University presented to the Maine Legislature in 2023, personal income of Wabanaki citizens has increased just 9% since 1989, compared to a 61% rise for tribal citizens outside Maine and a 25% growth rate statewide. The report puts the blame for this difference squarely at the feet of the Settlement Acts and notes that if the Legislature takes long-overdue steps to modernize the 1980 agreement, the Wabanaki Nations could be “economic engines” for rural Maine. Passage of LD 785 could boost Maine’s gross domestic product by as much as \$330 million, bring in \$39 million annually in state and local tax revenue, and add more than 2,700 jobs — 85% of which would be gained by the tribes’ rural neighbors.

The importance of the work by the Task Force and the data in the Harvard Report cannot be understated. Similarly, the recommended changes to MICSA included in LD 785 are essential to demonstrating, in good faith, that Maine recognizes the Wabanaki Nations as sovereign.

The Wabanaki people have waited long enough. We urge you to vote “Ought to Pass” on LD 785.

Thank you.

Karin Leuthy
Camden
Founder & Co-Leader

Kelli Whitlock Burton
Waldoboro
Co-Leader