

Thom Harnett  
52 Marston Road  
Gardiner, Maine 04345

Testimony in Support of

**RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine  
Regarding the Publication of Maine Indian Treaty Obligations**

Before the Joint Standing Committee on Judiciary

Good afternoon Senator Carney, Representative Moonen and members of the Judiciary Committee. I am Thom Harnett and I reside in Gardiner, Maine. I am pleased to be here with today to testify in support of LD 78 a RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine Regarding the Publication of Maine Indian Treaty Obligations. I thank Speaker Talbot Ross for introducing this Resolution and thank Senator Bennett for his submission of LD 578 which seeks to accomplish the same goal.

Every person I have ever known has basic needs. Included in those basic needs is the desire to be seen, heard, valued, and respected. This resolution proposes an amendment to the Constitution of Maine to require that the text of Article X, Section 5 of the Constitution, which pertains to Maine Indian treaty obligations, be included in any printed copies of the Constitution included with the laws of the State. This Resolution, if enacted, would make certain that the Wabanaki Nations are no longer invisible in the Maine Constitution and that instead, they are truly seen, valued, and respected in that most important document.

As you have heard today, due to actions taken by the Maine Legislature and amendments made to the Maine Constitution in the 1870s, language pertaining to the State's obligation to honor those treaties was removed from printed copies of that Constitution. Though Maine was and still is obligated to honor those treaties, those obligations and the benefits that accrued to the Wabanaki were and are nowhere to be found in printed copies of our Constitution. Those obligations along with the rights of Maine's first people in essence became and remain invisible. You have the opportunity before you today to change that and make the Wabanaki and their treaty rights literally seen again. I encourage you to advance this proposal as I believe it is right, just, and moral to do so.

In addition to simply being the right thing to do, restoration of the text of Article X, Section 5 of the Constitution accomplishes much more. It provides historical clarity about Maine's treaty obligations and the rights of the Wabanaki. It also says quite clearly to our Wabanaki friends and neighbors that Maine sees you, Maine acknowledges its sacred treaty obligations to you, and Maine recognizes your longstanding rights under those treaties.

While some might argue this is just a symbolic gesture, I disagree. In my mind, this can be another important and meaningful step in an ongoing process to improve the relationship between the State of Maine and the Wabanaki Nations. While we have made some significant and positive changes in that relationship, we all know that much more remains to be done. Do not squander the opportunity as the improvement of that relationship benefits not only the Wabanaki, but the State of Maine as a whole.

Thank you for your time and attention this afternoon and thank you for all the work that you do. I am happy to answer any questions you might have.