

**Testimony in support of LD 958: An Act to Prohibit Eminent Domain on Tribal Lands  
Submitted by the Wabanaki Alliance**

Senator Carney, Representative Kuhn and honorable members of the Joint Standing Committee on the Judiciary. My name is Maulian Bryant and I am from the Penobscot Nation as well as being the Executive Director of the Wabanaki Alliance. I am honored to provide this testimony in support of LD 958 on behalf of the Wabanaki Alliance.

We were founded in 2020 by leaders of the Wabanaki Nations in our homelands now called Maine; the Houlton Band of Maliseet Indians, The Mi'kmaq Nation, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik, and the Penobscot Nation. We work to educate about and advocate for the restoration of the recognition of our inherent tribal sovereignty and how increased tribal self determination benefits not just our people and communities but all of Maine. We are thankful to Leader Faulkingham for bringing this bill forward and to the co-sponsors . We also want to extend our gratitude to the supporters who have turned out in high numbers to support this issue in the testimony heard today and already submitted. One of the goals of the Wabanaki Alliance is to unite our friends, neighbors, and allies in our vision for equal rights for the tribal nations in our ancestral territory.

This bill amends the 1980 Act to Implement the Maine Indian Claims Settlement (also known as the Maine Implementing Act or MIA) and the 2023 Mi'kmaq Nation Restoration Act to prevent the state from seizing Wabanaki Nations' land for public uses.

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.

We 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 our territories.