

To: Sen. Carney, Rep. Kuhn, and members of the Joint Standing Committee on Judiciary
From: Sandi McRae Duchesne, 478 Beechwood Avenue, Old Town, 04468 (Resident of Hudson)
Re: Support for LD 785, An Act to Advance Self-determination for Wabanaki Nations

Senator Carney, Representative Kuhn, and members of the Judiciary Committee, my name is Sandi McRae Duchesne and I live in Hudson. I am testifying in support of LD 785 as a non-native ally who has long supported the restoration of sovereign rights to all of Maine's tribes. This legislation is personally important to me. I live on Pushaw Lake, the distance of an easy canoe paddle from the Indian Island reservation of the Penobscot Nation. I have worked professionally with the Penobscots and with both Passamaquoddy Tribes. I have volunteered as a birding field trip leader for the Houlton Band of Maliseet Indians at their summer youth day camp program. Wabanaki people are my friends, colleagues, and fellow UMaine alums. An injustice to our only true native Mainers is an injustice to all of us, and there is no doubt at this point in history that the Settlement Acts have resulted in great injustice for all of the Wabanaki Nations. LD 785 will implement the remaining recommendations of the 2019 MICSAs Task Force, helping to restore tribal sovereignty and provide greater economic opportunity for Maine's tribes and surrounding communities.

You've already heard and read the statistics. Wabanaki income has increased by just nine percent since the 1980s after passage of the Settlement Act, and childhood poverty far exceeds the statewide average. For tribes outside of Maine, where the federally guaranteed rights of tribal sovereignty have been respected and upheld by state governments, economic growth has averaged 61 percent during that same period. It's increasingly clear that the status quo is not meeting the basic needs of our original Mainers, who have lived on this land in harmony with the natural environment for over 10,000 years. With LD 785, we can seize the opportunity to address decades of unfair treatment and nearly continuous lawsuits over the legalistic interpretation of a clause in an agreement that dates back to 1980. It's time for a change, and this committee is poised at the right time and the right place for positive change to start.

The MICSAs Task Force recommendations were reached through thoughtful discussions, public meetings, more discussions, and eventual consensus. There is nothing revolutionary or threatening to non-native Mainers in their report. All the Wabanaki Nations want is the right to be treated like every other sovereign tribe in the United States, and in Canada as well for that matter. Maine stands embarrassingly alone in treating its tribal governments as municipalities. The Settlement Act is part of our history as a state, and sadly it followed a pattern. We've spent over 400 years getting things wrong. I think – I KNOW -we can do better. LD 785 is our opportunity to take the MICSAs Task Force report off the shelf, and agree to start implementing its recommendations. It's the fair and right thing to do. Thank you.