

Kelly Merrill
Maine Green Independent Party
LD 958

I'd like to open by expressing my gratitude to the Wabanaki people upon whose land we testify.

Good afternoon Chairs Senator Carney and Representative Amy Kuhn, Tribal Representatives, and members of the Judiciary Committee.

Thank you for the opportunity to provide testimony today in support of LD 958, "An Act to Prohibit Eminent Domain on Tribal Lands." My name is Kelly Merrill, and I serve as the Co-Chair for the Maine Green Independent Party. I reside in Abenaki Territory of the Western Mountains of Wapohnahkiak, or Stratton, Maine. I am a community and political organizer, journalist, and human rights activist.

The taking of the lands of sovereign nations is illegal under federal law; and no such lands are to be taken without consent. But due to the 1980 Land Claims Settlement Act, Wabanaki tribes have been excluded from those federal protections, and the benefits of over 150 federal laws. The passing of this bill is one step toward remedying the injustices wrought by that Act.

The passing of this bill is also in keeping with the 2007 UN Declaration on the Rights of Indigenous Peoples, which recognizes the rights of indigenous peoples to their lands and informed consent before any project impacting them; and particularly addresses the issue of eminent domain. The US signed onto the Declaration in 2011.

LD 598 guarantees consultation and mutual agreement before any actions are taken on tribal lands. The Wabanaki Nations have long demonstrated willingness to work with the State through collaboration. This bill ensures the voices of sovereign nations are guaranteed.

LD 598 preventing the taking of tribal lands through eminent domain is one step toward justice, fairness, and respect of Wabanaki sovereignty. It restores the fundamental principle that Wabanaki Nations are sovereign, and that the State recognizes their power to regulate their own territories.

I offer respect and gratitude to those testifying in support of LD 958, and for the thoughtful and attentive consideration of this committee. I urge you to vote LD 958 ought to pass, and that as policy-makers, you continue to support Wabanaki issues.

Respectfully submitted,

Kelly Merrill
Co-Chair, Maine Green Independent Party