

Ella Tabasky
Brunswick
LD 958

Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on the Judiciary,

My name is Ella Tabasky and I am submitting this testimony in strong support of LD 958, "An Act to Amend the Maine Indian Claims Settlement Act and the Mi'kmaq Nation Restoration Act Regarding Eminent Domain."

The passage of this bill is a necessary step toward fairness, justice, and respect for the sovereignty of the Wabanaki Nations. No government should have the ability to seize tribal land without consultation or consent. LD 958 ensures that the state of Maine cannot take Wabanaki Nations' lands through eminent domain—an unjust power that has historically disregarded tribal rights and has been corrected for almost all other federally recognized tribes across the country.

Eminent domain has long been used as a tool of dispossession, with lasting consequences. The history of Maine Route 190 cutting through the Passamaquoddy Reservation at Sipayik in 1925 without tribal input is a stark reminder of the harm caused when governments take land without consultation. LD 958 prevents such injustices from occurring again and upholds the fundamental principle that tribal lands should remain under tribal control.

The exclusion of Wabanaki Nations from federal protections against eminent domain is a direct consequence of the 1980 Settlement Acts. These outdated agreements have put Maine's tribal nations at a severe disadvantage compared to other federally recognized tribes. LD 958 begins to right that wrong, ensuring that Wabanaki lands are safeguarded from unilateral state action.

This bill is not just about preventing harm; it is about fostering collaboration. If a project is truly in the public interest, it should be approached with dialogue, partnership, and mutual agreement between the state and the Wabanaki Nations. LD 958 reinforces the principle that consultation must be at the heart of any decision affecting tribal lands.

At its core, this legislation is about justice, fairness, and respect for the inherent sovereignty of the Wabanaki Nations. I urge you to support LD 958 and affirm that tribal lands should be governed by tribal nations, not subject to state seizure without consent.

Thank you for your time and consideration.