



Testimony to the Joint Standing Committee on Judiciary

In Support:

LD 395, An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations

LD 785, An Act to Enact the Remaining Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act

2/19/26

Senator Carney, Representative Kuhn, and Members of the Judiciary Committee:

My name is Amy Winston and I live in Edgecomb. I am testifying today on behalf of [Coastal Enterprises, Inc. \(CEI\)](#), a non-profit community development corporation (CDC) and community development financial institution (CDFI) based in Brunswick. CEI's work is building a just, vibrant, and sustainable economy for people and communities in Maine and rural regions. We do this by integrating finance, business expertise, and policy solutions.

CEI strongly supports LDs 395 and 785. I am on the board of Four Directions Development Corporation and, a Native CDFI based in Orono whose mission is to improve the social and economic conditions of the Native American tribes in Maine. And I serve as the CDFI representative on Maine's Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations. The Permanent Commission has prioritized tribal sovereignty for its ability to advance racial equity and economic justice in Maine. **In 2022 and 2024, we testified in support of tribal sovereignty (LDs [1626](#) and [2007](#)) on the basis of the economic benefits of self-determination.**

With high levels of unemployment, poor health, inadequate housing, and myriad issues related to persistent and generational poverty, Native Americans are among the poorest Americans. An ability to make long-term decisions for the benefit of the community according to an agenda that is set by the tribes, for the tribes, is needed. The current model that is practiced by most indigenous nations in the US is self-determination, afforded by full access to the suite of resources accessible to federally recognized tribes.

Unlike most federally recognized tribes, the Wabanaki lack the legal basis for sovereignty that is asserted in this bill and needed to access capital, build infrastructure and institutions, start and sustain businesses, provide health and social services, education, and job training. Under Maine's current framework, the Wabanaki function as a municipal equivalent in a domestic-dependent nation (or internal colony) inside the US. Repealing Maine's Implementing Act will enable the tribes to pursue a proactive approach to economic development with outcomes that will more broadly benefit Maine.

Native nations understand their needs and know what their priorities should be. Research from the [Harvard Project on American Indian Economic Development](#)¹ and the [Native Nation Building Institute at the University of Arizona](#)² shows that resources are better used when allocated according to tribal objectives. The literature is replete with examples of Native nations asserting their decision-making

¹ Kalt, Joseph, et al. 2022. Economic and Social Impacts of Restrictions of Federal Indian Policies to the Wabanaki Nations in Maine. The Harvard Project on American Indian Economic Development.

² Jorgensen, Miriam, and Joan Timeche. Investing in Rural Prosperity Chapter 7: "Native America x Rural America: Tribal Nations as Key Players in Regional Rural Economies" *Saint Louis Fed Eagle*, Federal Reserve Bank of St. Louis, 23 Nov. 2021, <https://www.stlouisfed.org/community-development/publications/invest-in-...>



authority, strategically and for the long-term, and backing up that authority with effective governance. Many tribes have used tribal self-government to increase economic growth significantly compared with the Wabanaki. They have built manufacturing and retail sectors and created destination communities through cultural tourism, generating jobs and increasing incomes for tribal members and nontribal residents in surrounding communities.

In the last 30 years, increased self-governance over tribal lands and resources has created new economic and employment opportunities for both tribal and nontribal citizens.³ It is estimated that access to these same resources has the potential to increase Maine's GDP (Gross Domestic Product) by more than \$300 million a year, create over 2,000 new jobs that will expand economic opportunities on and off tribal lands, and generate \$39 million annually in state and local tax revenue. *Maine's ability to engage with the Wabanaki tribes in a government-to-government fashion will yield positive economic results for all of Maine.*

Over four decades as a CDFI, the team at CEI has learned that *when local people are empowered to exercise agency over their own livelihoods* – to set the agenda, make decisions and access the necessary resources to build local capacities for leadership, investment, and long-term development – *people's lives improve, businesses grow, and communities flourish.*

Both bills contain important provisions that update the Maine Implementing Act (as the Task Force established for that purpose intended) to reassert and restore rights to self-determination that are inherent to first nations and have benefited all other tribes in the US. They establish processes for government-to-government consultation and dispute resolution to resolve conflict between Maine state and federal law, along with provisions for cooperation at the local level and to clarify jurisdiction over trust land and territory, criminal and civil jurisdiction, environmental resources and land use, gaming, and legal protections for tribal governments. Provisions are included to address health and safety gaps and to include all of tribes in Maine in the updated Act. And they are bipartisan.

Thank you for the opportunity to provide our perspective on this legislation. We urge the committee to vote Ought-to-Pass on LDs 395 and 785 – or to consider passing a single, streamlined bill that combines their distinctive, complimentary contents and reinforcing intent.

³ Akee, Randall. January 19, 2021. "Sovereignty and improved economic outcomes for American Indians: Building on the gains made since 1990." Center for Equitable Growth. Boosting Wages for US Workers in the New Economy Series. Accessed at <https://equitablegrowth.org/sovereignty-and-improved-economic-outcomes-for-american-indians-building-on-the-gains-made-since-1990/>