



# SIERRA CLUB

## MAINE CHAPTER

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To: Committee On Judiciary  
From: Nathan Davis, Sierra Club Maine  
Date: February 28, 2023  
Re: **Testimony in Support of L.D. 78: Resolution, Proposing An Amendment To Article X Of The Constitution Of Maine Regarding The Publication Of Maine Indian Treaty Obligations**

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Senator Carney, Representative Moonen, and members of the Committee On Judiciary, my name is Nathan Davis, and I write on behalf of Sierra Club Maine, representing over 22,000 supporters and members statewide. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members nation-wide as we work towards combating climate change and promoting a just and sustainable economy. To that end, we urge you to vote "ought to pass" on L.D. 78 concerning the publication of Maine Indian treaty obligations.

We thank Speaker Talbot Ross for bringing this bill forward.

The Sierra Club nationally supports the right to a clean and healthful environment for all people, and in particular we support native peoples' wielding of their sovereign powers to protect the environment and to establish environmental justice.<sup>1</sup>

This bill proposes a Constitutional amendment that would restore Article X, Section 5 of the Constitution of Maine to printed copies of the Constitution included with the laws of Maine. In particular, in the context of the terms of our separation from Massachusetts, this missing section states that Maine "shall as soon as the necessary arrangements can be made for that purpose, assume and perform all the duties and obligations of this Commonwealth [i.e. Massachusetts], towards the Indians within said District of Maine, whether the same arise from treaties, or otherwise."

Maine reneged on its treaty and other obligations towards the Wabanaki after the separation, and then literally erased mention of these obligations by hiding this text - which, though hidden, remains in full legal force. Restoring this text to printed copies of the Constitution does not redress this injustice, but it does at least acknowledge it.

We urge you to vote "ought to pass" on LD 78. Thank you for your time and consideration.

Sincerely,  
Nathan Davis  
Sierra Club Maine

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<sup>1</sup> <https://www.sierraclub.org/policy/environmental-justice>

Legislative Team member