

TO: Environment and Natural Resources Committee

FROM: Marianne Hill, Ph.D.

DATE: April 29, 2025

SUBJECT: Testimony in support of LD1696

Resolve, to Study Maine's Absolute Dominion and Beneficial Use Laws
Relating to Water Rights

Senator Tepler, Representative Doudera and members of the Committee: I am writing in support of LD 1696. Clean air, such as the state of Maine generally enjoys, is termed a “public good” by economists; it cannot be owned by an individual and cannot be supplied the market. Pollutants released into the air travel. Groundwater has similar properties. To attempt to treat groundwater as a private good that can be bought and sold by individuals as they wish (which the Dominion rule seems to do) inevitably results in inefficiencies and inequities.

Domestic water users, small farmers, and businesses that need a consistent water supply deserve a voice in decisions made impacting their water. That is, the management of water systems should be done for and by the public who depend on this water.

The Dominion Rule rests on mistaken notions that must be rectified if Maine’s water is to be adequately protected. How to do this best requires study as proposed under this bill. Please vote “ought to pass” on LD 1696.

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LD 1696

The Absolute Dominion rule rests on mistaken notions about groundwater and must be changed if Maine's water is to be adequately protected for the future.

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