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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

**TESTIMONY OF
MELANIE LOYZIM, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

SPEAKING NEITHER FOR NOR AGAINST

**L.D. 928 “RESOLUTION, PROPOSING AN AMENDMENT TO THE CONSTITUTION
OF MAINE TO ESTABLISH A RIGHT TO A HEALTHY ENVIRONMENT”**

SPONSORED BY REP. O’NEIL

**BEFORE THE JOINT STANDING COMMITTEE ON
ENVIRONMENT AND NATURAL RESOURCES**

HEARING DATE:

MARCH 22, 2023

Senator Brenner, Representative Gramlich, and members of the Joint Standing Committee on Environment and Natural Resources, I am Melanie Loyzim, Commissioner of the Department of Environmental Protection (DEP), providing this testimony neither for nor against L.D. 928.

Maine’s natural resources and environmental qualities underpin much of our economy and culture. A statement in Maine’s Constitution that every citizen has the right to a clean and healthy environment would reflect Maine’s values. As drafted, L.D. 928 would have no direct effect on the laws administered by the Department. Its actual effect would only be established through litigation and judicial precedent.

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LD 928, RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to a Healthy Environment

Testimony of: Melanie Loyzim/ Maine DEP

Public Hearing: March 22, 2023

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In 2021, a similar resolution with much more detail was introduced as L.D. 489 and opposed by the Department. A majority of this Committee voted in support of an amendment to L.D. 489, which later failed final passage in 2022. That failed amendment is now before you again as L.D. 928.

This constitutional amendment does not modify any statutes or rules governing the environmental impact of activities in Maine. Its only apparent purpose is to serve as a broad goal statement to be cited in objections filed with the judicial branch to activities perceived as infringing on the rights provided by this constitutional amendment. The Department cannot predict how this would be interpreted by the courts, and therefore has no position on this legislation as drafted.