



SIERRA CLUB

MAINE CHAPTER

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To: Committee On Environment and Natural Resources
From: Nathan Davis, Ph.D., Sierra Club Maine
Date: March 22, 2023
Re: **Testimony in Support of L.D. 928: *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment***

Senator Brenner, Representative Gramlich, and members of the Committee On Environment and Natural Resources, my name is Nathan Davis, and I am testifying 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. 928: *Resolution, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment*, also known as the Pine Tree Amendment.

We'd first like to recognize the tremendous grassroots enthusiasm that the Pine Tree Amendment has engendered, especially among the youth of Maine. We find it heartening that the fragmentation and isolation that afflict our age have in this instance failed to disperse a tide of common feeling: that the natural environment of Maine is worth protecting not only by law and by custom, but by the foundational text of our state government, which LD 928 proposes to amend for this purpose.

Our Constitution and others like it specify a form of government and some of the mechanics of that government, but that's not all that they do. They also establish elemental and binding principles of government. In the Constitution of Maine ring the bells of human aspiration, of hope in an expansive and expanding future of justice, common welfare, tranquility, and the blessings of liberty. The very Preamble of our Constitution exalts those goals as Objects of Government. In our times of astounding technological and scientific capacity, that language may seem anachronistic or even naive, but I think there is nothing naive about it. The Constitution of Maine is not merely a dry specification of the powers of branches of government, and it's worth reading aloud Article I, Section 1 to remind ourselves of this:

"All people are born equally free and independent, and have certain natural, inherent and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness."

Is that the language of people afraid of lawsuits? Is it the language of people who hesitate in asserting their rights as humans for fear that such an assertion might impede the flows of capital? It is not. It is the language of people who understand that the shared aspirations and

joys of humanity transcend the strictures that commerce and government would impose on them, and that these aspirations and joys merit pride of place as the first rights enumerated in the list of rights which forms the first Article of the Constitution of Maine. A technocratic vision of our Constitution as a narrow document with narrow aims is a narrow idea for narrow minds.

The first line of the Sierra Club's mission statement is: "To explore, enjoy, and protect the wild places of the earth." We are blessed in Maine with an abundance of wild places, from the awesome ridges and peaks of Katahdin, to the wind-whipped and salt-scoured headlands of the Cutler Coast, to the serene and remote headwaters of the Allagash, to our vanishing coastal marshes which each spring vibrate into an efflorescence that calls us anew to stewardship.

There is no question in our minds - none - that these places deserve Constitutional protection at the same level as the right of possessing and protecting property, or the right to bear arms, or the right to freedom from corporal punishment under military law, or any of the other rights enumerated in the twenty-five existing sections of Article I. The question you face is whether the right to a clean and healthy environment is fundamental to what Maine is and what Maine will become in a future that belongs to the youth now reckoning with the environmental heedlessness of our era. The gravity and joy which intermingle in the voices of these youth are the seeds from which will spring this future.

Sierra Club Maine urges you to vote "ought to pass" on LD 928. Thank you for your time and consideration.

Sincerely,
Nathan Davis, Ph.D.
Sierra Club Maine
Legislative Team member