



L.D. 1214: An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

Testimony in support

Senator Brenner, Representative Gramlich and honorable members of the Environmental and Natural Resources Committee. My name is Jason Clay, I am a resident of Brewer, and I serve as the Policy Liaison for the Bangor Region Chamber of Commerce. I am also the new owner of the Governor's Restaurant chain. I appreciate the opportunity to testify in support of LD 1214.

Of all the legislation our nearly 800 members have contacted us about, the PFAS law enacted back in 2021, has risen to the top in terms of concerns and questions we have received from businesses throughout the 21 community region we serve. Businesses in every sector and of every size.

L.D. 1214 seeks to make improvements to Maine's 2021 PFAS law. The law will require tens of thousands of Maine businesses who do business or sell products in Maine to potentially spend thousands of dollars to test and report whether PFAS are present in the products they sell, including mine.

We heard from a large bank with branches throughout Maine and New England wondering if their debit cards will comply with the law? C&L Aviation, an international company employing hundreds of people in the Bangor region uses thousands of parts in their aircraft. Testing each and every part and component for PFAS is simply not feasible.

An artisan contacted us to ask if she will need to have her jewelry making supplies tested for PFAS. She is one example of so many small businesses in Maine that are unaware of the scope and breadth of this law, that might not be aware that they need to report, and test (and pay for those tests) or even how to test, and have zero experience following a regulatory proceeding at the DEP.

While we understand the well intended efforts to protect Maine residents from PFAS, without changes to the current law it will be absolutely devastating for Maine's economy and we run the risk that businesses will leave Maine, taking jobs with them.

This bill seeks to reduce the significant negative impact to Maine businesses by changing how PFAS are currently defined to narrow the scope and make the law more realistic to comply with. Given limited lab capacity, it is simply not possible to test for most PFAS (as defined in the current law), and the associated costs to businesses are enormous.

This bill will also push out the effective date of the law to allow the DEP and various regulators to have rules adopted. As it stands currently, we have a law in place that businesses don't know how to comply with. This would allow businesses to have a better understanding of how they are impacted and what is required of them.

The uncertainty this law has created has caused some of our larger member businesses to consider taking their business out of the state. Please consider passing this legislation to ease the burden to these businesses and to protect Maine's economy.

Thank you for the opportunity to testify today. I am happy to answer any questions.