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Testimony of Representative Daniel Sayre, sponsor of
LD 1641, Resolve, to Further Study the Role of Water as a Resource
Before the Joint Standing Committee on Environment and Natural Resources

Senator Brenner, Representative Gramlich and distinguished members of the Joint Standing Committee on Environment and Natural Resources, I am Representative Daniel Sayre of Kennebunk, and I am pleased to present for your consideration **LD 1641, Resolve, to Further Study the Role of Water as a Resource**.

This bill embodies the recommendations of the Commission to Study the Role of Water as a Resource in the State of Maine as published in APPENDIX C of the commission's final report in December 2022.¹

This Resolve would implement the specific recommendation of the Commission to establish a new Commission to continue this important work. The report noted that "the regulation of water resources in Maine is complex and, depending on the activity, can implicate multiple regulatory schemes." Further, "many questions remained unresolved regarding the regulation of Maine's water resources and the potential impacts of proposed changes to existing laws and rules."

For this reason, the December report recommended, and I am proposing with this Resolve, that a new Commission be established to take up the unresolved work. The new Commission will be different in both scope and membership, per the recommendations in the December report:

SCOPE: the new Commission will "focus on the general categories of recommendations identified by the commission members – oversight, data collection, data reporting; drought planning, agricultural issues; water rights and ownership; water quality/PFAS; and water extraction, contracts and permitting."

MEMBERSHIP: The new Commission will make three changes from the past Commission's membership:

- The member of the Office of the Attorney General is replaced with a member with general expertise in water rights and water ownership.

¹ <https://legislature.maine.gov/role-of-water-as-a-resource-in-the-state>

- The representative of the Governor's Office of Policy Innovation and the Future will be replaced by representatives of the Department of Environmental Protection and the Public Utilities Commission.
- The member representing the interests of businesses that use water in manufacturing or the provision of items or services for sale will be replaced by a member representing the interests of businesses that use water to irrigate agricultural products.

I will further note that the content of this Resolve is replicated in substantially the same form in section 9 of LD 1723, sponsored by Senator Bennett, which you are hearing today as well. I would be happy to defer to the Senator's bill to carry the substance of this Resolve forward.

However, I must bring to your attention a potential complication with a related bill that has been voted out of another committee. LD 1441, An Act to Enhance State Oversight of Water Use and Water Resources, which I have also sponsored, implements the recommendations found in Appendix D of the December 2022 final report of the Commission. That bill was heard by the Committee on Agriculture, Conservation and Forestry on April 10 and was voted Ought to Pass as amended by an 11-2 majority on April 19. The content of that bill is highly similar to the content of sections 2 through 7 of Senator Bennett's bill. So, some coordination between your committee and ACF may be required if you wish to move forward with Senator Bennett's bill.

I thank you for your consideration of LD 1641, and I would be happy to address any questions you might have.