

Senator Carney, Representative Kuhn, and Esteemed Members of the Joint Standing Committee on Judiciary,

My name is Christine Higgins. My husband, Tom, and I live in a condominium association in Brunswick, Maine. I am testifying today in support of LD 1132, *An Act to Further Protect Low-Impact Landscaping*. I'd like to thank President Daughtry for introducing this important piece of legislation.

As seniors, we value independent living in a community with resources, culture, and safety. While condominium living offers these benefits, we were surprised by one significant issue: the use of dangerous pesticides and our lack of rights to prevent exposure to harmful chemicals and pesticides surrounding our unit.

Maine law requires real estate sales contracts to disclose hazardous substances such as lead paint. Testing is required for radon gas. However, prior to a sales contract, condominium developments are not required to disclose their use of chemical pesticides.

Despite repeated requests to protect us from direct exposure to spraying and chemical applications around our unit, we have been told by the board that we cannot opt out of future spraying except for a recently implemented, burdensome process that requires proving a medical need. Our property manager claims that it is too onerous to keep a list of requests for opt out. The reason we were given for continuing these harmful practices is to maintain "aesthetics." Further justification claims that the land surrounding our unit is "common property." Yet most residents either own or mortgage their homes.

Maine schools are required to follow Integrated Pest Management (IPM) practices, which minimize reliance on pesticides. We ask that a similar protection of a right to opt out be granted to condominium owners.

In November 2022, 61% of Maine voters approved a "Right to Food" amendment to the state constitution, which guarantees: "All individuals have a natural, inherent, and unalienable right to food, for both consumption and growing..."

As a lifelong organic gardener, I can no longer grow anything in the chemically infused, toxic soil surrounding my unit.

We urge you to pass Amendment LD 1132 to strengthen LD 649 and protect condominium owners from the indiscriminate use of harmful chemicals and pesticides—safeguarding both our health and that of the environment.

Thank you for your time and consideration.

Christine and Tom Higgins