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April 7, 2025

Testimony of Gary Friedmann introducing

**LD 1262, An Act to Improve Government Transparency and Accountability
by Establishing a Process to Allow a Person to Require the State to Enforce
Certain Laws and Rules**

Before the Joint Standing Committee on Judiciary

Senator Carney, Representative Kuhn and members of the Judiciary Committee, my name is Gary Friedmann, and I represent House District 14, which includes Bar Harbor, Cranberry Isles, Lamoine and Mount Desert. It is my honor to introduce **LD 1262, An Act to Improve Government Transparency and Accountability by Establishing a Process to Allow a Person to Require the State to Enforce Certain Laws and Rules**.

Yesterday's *New York Times* included a story that underlines the importance of this bill. Its headline read, "Chemical Industry Asks Trump for Exemption from Pollution Limits," and it describes how industry groups are asking for complete exemptions from limits on air pollution.

Last month, the Environmental Protection Agency (EPA) told companies they could apply for waivers to clean air rules by emailing the agency if they felt the technology to meet the rules wasn't available and if it was in the interest of national security. Trump's EPA has already moved to roll back many of these rules.

For example, last week, the EPA listed 31 regulations that it will scale back or eliminate, including rules limiting air pollution from cars and power plants, restrictions on the emission of mercury and neurotoxins and clean water protections for rivers and streams.

These are the latest moves by the Trump administration to steer the EPA away from its original environmental protection and regulation role. The EPA has said it plans to reduce its budget by 65%, slash jobs, eliminate scientific research and ensure that enforcement actions don't interfere with energy production. It has placed former lobbyists and lawyers for the oil, gas and chemical industries in senior positions and dropped lawsuits against chemical manufacturers accused of releasing high levels of carcinogens.

Maine's environment — our clean air and water, our beautiful lakes, rivers and coastlines — draws and keeps people here. It's the foundation of our communities and economy. We can't afford to let it deteriorate under aberrations in federal leadership.

District 14: Bar Harbor, Cranberry Isles, Lamoine and Mount Desert

This bill aims to address the challenges of federal attacks on our environment and chronic understaffing of Maine's agencies tasked with enforcing state environmental regulations, utilizing three tools:

1. The ability of citizens to ask the agency that enforces environmental laws to improve or enforce clean air and water standards;
2. The ability of citizens to ask a court to act if the agency does not; and
3. The ability of the agency to cover the cost of enforcement.

Most states rely on federal EPA standards as their own minimum standards while being free to adopt stricter measures if they so choose. The most essential federal environmental protection statutes were co-authored by Maine's Senator Edmund Muskie. He ensured that the Clean Air Act of 1970 and the Clean Water Act of 1972, among other laws, had citizen suit provisions so that citizens could stand in for the EPA and the Department of Justice when presidents like Richard Nixon would not.

Suppose a federal pollution standard disappears and the DEP does not move to adopt it under state law. In that case, LD 1262 provides a way for citizens or public interest organizations to petition the DEP to adopt that standard if the underlying state pollution law allows it. LD 1262 also helps agencies and taxpayers by laying the groundwork for fees to be paid by those permitted to emit pollution to cover the costs of ensuring compliance by the agency or citizens.

I urge you to support LD 1262 and, by doing so, provide tangible safeguards for Maine's environment in the face of the federal government's abdication of this sacred responsibility.

Thank you. I am happy to answer any questions.