



Testimony of Matt Marks Opposed LD 489

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to a Healthy Environment

Monday, March 8, 2021 10:00 AM

Joint Standing Committee on Environment and Natural Resources

Good Morning Senator Brenner, Representative Tucker, and Members of the Joint Standing Committee on Environment and Natural Resources. My name is Matt Marks; I am a Scarborough resident representing the Associated General Contractors of Maine today.

AGC Maine supports a healthy natural environment, and our members build infrastructure that supports the goal. However, the language in this bill is problematic. The term "pure" and "may not infringe" are sure to cause legal challenges for basic projects necessary for life, such as housing, water/wastewater, and energy.

Some basic questions, how will Maine "conserve, protect and maintain these resources" if they offer permits to build? If these rights are reserved to "all people," how will that be interpreted?

Reading the language, it generally appears that most human interaction with the natural environment would be prohibited. While it's unlikely the sponsor's intent, it seems to give every Mainer the ability to stop any development activity and a mandate for state agencies to ensure the state waters, air, flora, fauna, ecosystems, and public lands are not modified-at all. That would make it very difficult to build housing or provide essential services. Thank you, I am happy to answer any questions.

Respectfully submitted by,

Matt Marks, AGC Maine
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