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*Testimony of Sen. Chloe Maxmin supporting*  
**LD 489, RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Establish a Right to a Healthy Environment**

*Before the Joint Standing Committee on Environment and Natural Resources*

Senator Brenner, Representative Tucker, and honorable members of the Joint Standing Committee on Environment and Natural Resources:

My name is Chloe Maxmin. I represent Senate District 13, which includes all of Lincoln County except for Dresden, plus Washington and Windsor—a total of twenty-seven towns. I am very honored and excited to introduce LD 489, Proposing an Amendment to the Constitution of Maine To Establish a Right to a Healthy Environment, otherwise known as the Pine Tree Amendment.

A lot of people ask me why I ran for office. I always give the same honest answer: I love Maine. I've spent my life in Nobleboro, and I love our way of life, my community, our kindness, compassion, and commitment to each other regardless of Party or background. I love our woods, rivers, lakes, oceans, dirt roads, and trails. I was raised outside on a farm and have known since I was little that fighting for this place is my purpose.

As I grew older, I began to understand the many ways that our state is threatened. The Maine that we know and love today is no longer guaranteed to be there in the future. A major example: our environment. The Gulf of Maine warms faster than 99% of the world's oceans, our summers are drier, winters are warmer. I don't need to go into all the facts right now, but we know that things are changing for the worse.

These changes are not only devastating because of their environmental impacts. They threaten our entire economy. The livelihoods of fishermen, farmers, foresters, guides—who rely on a healthy environment to make a living—are under deep threat. This isn't just about our natural resources. It is about standing up for our economy and our constituents.

For my entire lifetime, I have watched the government stand by and do far too little to protect our state's resources, the foundation of our economy. For years, some might argue decades, State and Federal governments have allowed the climate crisis and environmental degradation to run rampant. These problems have only gotten worse. Who pays the price for government inaction? We do. My constituents do. It is not okay.



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So I ran for office. But when I got elected, I was stumped about what kind of legislation could match the profound economic and environmental scale and scope of the challenges that we face. We can introduce a bill, but it only helps a small part of the problem. In recent years, we have all seen how quickly a new administration, Governor, or President—from either Party—can quickly and drastically change policy courses. This political landscape is and always will be uncertain.

This uncertainty is unacceptable to me given the huge crises that we face today. No one would have predicted that a pandemic would hit our world, but it did. And we have seen how fundamentally important it is for the government to be ready to stand up for all people, especially working Mainers. But, in my opinion, it did not live up to that expectation.

We are in a situation today where we know that greater crises are coming. Greater environmental harm, and therefore greater economic upheaval, are inevitable. There are numerous environmental threats right now to Maine. Are we prepared? No.

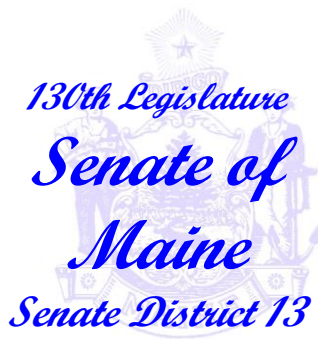
Quite frankly, I don't trust our government to protect us in the critical years to come. That is why I am introducing the Pine Tree Amendment.

The Pine Tree Amendment adds language to the Maine Constitution that guarantees a right to a healthy environment. This idea was brought to me by two constituents in 2019. They will testify later today. I was immediately intrigued, and they introduced me to Maya Van Rossum, an attorney who has pioneered these kinds of amendments in other states. She will also testify later today. I saw the fundamental importance of this legislation.

The intent of this language is to hold government accountable, to ensure that all Mainers have a right to a healthy environment. No Governor or Legislature, no law or permit, can violate that right. This is how we protect Mainers and the natural resources that our economy will rely on for generations to come. I'm done playing games in Augusta. This is what we need if we are going to protect ourselves.

I know that this idea and the language is a lot to digest. Throughout the process, I ask you to please listen to the legal experts testifying today to answer your questions instead of speculating about what this language means. There are also legal experts that I have consulted who could not be here today but are willing to serve as a resource for this committee.

I wanted to address a couple arguments that I have heard. There is a worry that this language could be used for one private entity to sue another private entity. Every legal expert that I have spoken with has said that this would be highly unusual interpretation of this language. There is also legal precedent in other states with this kind of amendment, as you will hear later, to show that this is not the intent or expected interpretation.



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I have also heard people ask: what does a healthy environment mean? What does “pure” mean?” Our Constitutional rights are all incredibly broad to serve as the best protectors for the people. I am also very open to working with the Committee on fine-tuning this language so that it is as unambiguous as possible. I have been talking with lawyers as well as some members of the House on amendments to the language, and I think that there are many ways to work together to make this a reality for all Mainers.

I urge you to join me in sending this crucial amendment to the people of Maine, to our constituents, so that they can finally realize their legal rights to a healthy environment, an inherent right with which each and every one of us was born.

Thank you for your time, and I am happy to answer any questions about the Pine Tree Amendment.

Chloe Maxmin