



MAINE RURAL WATER ASSOCIATION

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To: Senator Brenner, Representative Gramlich, and Members of the Joint Committee for Environment and Natural Resources

From: Bradley Sawyer, Deputy Director

Date: March 22, 2023

Re: Testimony Neither For Nor Against, L.D. 928, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment

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The Maine Rural Water Association is a member-driven non-profit organization based in Richmond that specializes in training, technical assistance, and advocacy on behalf of our almost 300 members. The majority of our membership is made up of water and wastewater utilities from around the state and are committed to ensuring clean and safe drinking water and a healthy environment through the proper treatment of wastewater.

As public health and environmental professionals we applaud the sponsors desire to protect the natural environment and share those goals. We believe that this version of the Pine Tree Amendment is less prescriptive than the one previously proposed and as such we offer brief testimony neither for nor against, instead of in opposition, as we did in the 130<sup>th</sup> Legislature.

Utilities around the state are, however, concerned with potential unintended consequences of this legislation. While the bill mandates that the State “conserve, protect, and maintain the State's natural resources, including, but not limited to, its air, water, land and ecosystems” we will not know what the practical implication of that language is until it is litigated by the court system. In Maine we have a history of local control of public drinking water and many operators, managers, and trustees worry that this legislation could lead to the end of that.

Water has been a hot topic recently, and for good reason, it is absolutely critical to human life and society as we know it. That being said, Maine is in a far better place to combat some of these issues than other states that are regularly in the news. For starters, we have an abundance of water. Public drinking water systems, fire protection, commercial bottling, and industry still combine to use just a fraction of the water available in Maine. Our aquifers also recharge faster than those of western states and continue to provide world-class water to Maine communities.

In short, while we do not oppose this legislation, we are concerned with the potential impacts and urge the committee to make clear that the legislative intent is not to wrestle control of public drinking water utilities away from their local communities. There is currently a robust and comprehensive regulatory regime in place and any addition to that from the state would serve as an additional hardship to the boots on the ground that provide this needed service every day.

If you have any questions or concerns, please do not hesitate to reach out to me at [Bradley.Sawyer@MaineRWA.org](mailto:Bradley.Sawyer@MaineRWA.org) or 207-737-9014.