



# PINE TREE AMENDMENT

*TALKING POINTS*

The exact language can be found [here](#) and below.

The PTA ensures that all Mainers have the right to a clean and healthy environment for generations to come.

The PTA ensures that no Legislature, Governor, law, or permit can take these rights away. Laws can be made and unmade, but the Constitution is permanent.

The Constitution has greater legal significance than statute, so the PTA enshrines our rights in a way that Mainers have never had before.

Our Maine identity is about our outdoors, woods, waterways, ocean, snowmobiling, hunting, and fishing. All Mainers deserve a right to this way of life for generations to come.

The PTA holds the government accountable to ensure that nothing threatens our basic rights.

The government should never get in the way of your clean air, clean water, outdoor space--now, or in the future.

This amendment gives the people more opportunity to challenge the government when a law, permit, or any other action threatens our basic rights.

There is a huge grassroots movement behind this amendment, with dozens and dozens of Maine organizations, businesses, and individuals supporting.

Pennsylvania and Montana have already passed this kind of environmental amendment. There are fourteen states with active efforts to pass an environmental rights amendment.

Pennsylvania's Amendment has been used to check legislative overreach that would have put in place automatic waivers of environmental protection standards for fracking, relieved the industry from notification requirements where there was potential drinking water contamination of private wells, and more. PA & MT amendments are also being used to prevent harmful gold mining operations;

advance drinking water protections from PFAS contamination; preventing state legislators from raiding environmental protection funds; requiring consideration of science and impacts before permitting environmentally damaging operations; securing cleanup of toxic contamination and more.

The main principle of the healthcare industry is to do no harm. This should be our primary principle for our natural resources as well.

The PTA will provide broad guidance that ensures government decision making-- substantively and procedurally--considers environmental impacts early in the process when prevention of pollution, degradation and environmental harm is most possible

The PTA will place the rights to clean water and air and healthy environments legally on par with the rights to bear arms, to free elections, to free speech, freedom of religion and the rights of victims of serious crimes to be treated with respect, fairness and dignity

The PTA will strengthen environmental justice by ensuring all communities – regardless of race, ethnicity or income – have the same rights to clean water and air and healthy environments and the duty of all government officials to protect all communities equitably

The PTA will empower communities to address the government's unconstitutional infringement on environmental rights such as clean water and air, by providing constitutional grounding for their advocacy and access to the courts for redress.

The PTA protects "recreational" uses of our land to protect Maine's outdoor heritage.

#### **PTA AMENDMENT LANGUAGE:**

**Constitution, Art. I, §25** is enacted to read:

**Section 25. Environmental rights.** The people of the State have the right to a clean and healthy environment, including pure water, clean air and healthy ecosystems, and to the preservation of the natural, cultural, recreational, scenic and healthful qualities of the environment. The State may not infringe upon these rights by action or inaction or through the action of others. The State, including each branch, agency and political subdivision, shall serve as trustee of the natural resources of the State, among them its waters, air, flora, fauna, ecosystems and public lands. The State shall conserve, protect and maintain these resources for the benefit of all the people, including generations yet to come. The rights stated in this section are inherent, inalienable and indefeasible and are among those rights reserved to all the people and are on par with other protected inalienable rights.