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TESTIMONEY BEFORE THE MAINE COMMISSION ON TRADE AND
DEMOCRACY BY DEBBIE LEIGHTON MAY 11 2006

MY NAME IS DEBBIE LEIGHTON OF BATH. I AM HERE REPRESENTING THE
WOMEN'S INTERNATIONAL LEAGUE OF PEACE AND FREEDOM OF MAINE
AND AS A BOARD MEMBER OF MAINE FAIR TRADE CAMPAIGN

I AM DEEPLY COMMITTED TO THE PROPOSITION THAT WATER IS A HUMAN
RIGHT ,ACCESIBLE TO ALL
OUR PUBLIC UTILITIES COMMISSION PLAYS AN IMPORTANT ROLE IN
MAINE
REGULATING BOTH PUBLIC AND PRIVATELY OWNED WATER WORKS.
THE PUC SETS WATER RATES AND REVIEWS THE ACQUISITION OR SALE
OF MUNICIPAL WATER SYSTEMS.

MY CONCERN IS THAT THE UTILITY COMMISSION'S RATE SETTING
PROCESS MAY CONFLICT WITH A TRADE RULE CALLED "DOMESTIC
REGULATION" THAT IS PART OF THE WTO SERVICES AGREEMENT.

THIS NATIONAL TREATMENT RULE IS ANOTHER MEANS BY WHICH
THESE TRADE AGREEMENTS LIMIT OUR ABILITY TO SELF GOVERN
AND MAKE OUR OWN DECISIONS. THE RULE BASICALLY SAYS THAT
THE SERVICE SECTOR LAWS THAT WE DEMOCRATICALLY CREATE---
TO ENSURE BASIC NEEDS LIKE WATER OR HEALTHCARE—MUST BE
"LEAST TRADE RESTRICTIVE" AND MUST "NOT BE MORE BURDENSOME
THAN NECESSARY". WELL THE OBVIOUS QUESTION IS WHO GETS TO
DECIDE WHAT IS OVERLY BURDENSOME?

IN THE CASE OF THESE TRADE DEALS, ANY FOREIGN COUNTRY, SUCH
AS SWITZERLAND, CAN ACT ON BEHALF OF ONE OF ITS SERVICE
PROVIDERS, NESTLES WHICH OWNS POLAND SPRINGS AND CHALLENGE
ONE OF MAINE'S LAW AS "MORE BURDENSOME THAN NECESSARY"

BRINGING THIS BACK TO MAINE'S PUBLIC UTILITIES COMMISSION, MY
CONCERN WHAT IS TO STOP A FOREIGN COUNTRY FROM CHALLENGING
THE DEMOCRATICALLY CREATED RULES OF THE PUBLIC UTILITIES
COMMISSION AS 'MORE BURDENSOME THAN NECESSARY'

LIFE IS THE LIFEBLOOD OF OUR ECOSYSTEMS

DECISIONS ABOUT WATER—WHETHER THEY ARE ABOUT RATES SET BY
THE UTILITIES COMMISSION OR WHETHER WE ALLOW WATER TO BE
TRANSPORTED OUT OF ITS NATURAL WATERSHED—THESE DECISIONS
ARE FUNDAMENTAL TO OUR LIFE HERE IN MAINE. THEY SHOULD BE
DETERMINED AFTER MUCH DELIBERATION BY THE CITIZENS OF MAINE

TAKING THE BEST ECOLOGICAL AND OTHER INFORMATION INTO ACCOUNT.

THE TOWN OF DENMARK HAS DONE JUST THAT THIS LAST YEAR BY PASSING AN ORDINANCE THAT WILL PROTECT THE QUALITY AND QUANTITY OF THE GROUND WATER, SPRING WATER OR WATER IN ACQUIFERS AND THEIR DISCHARGE AREAS LOCATED WITHIN THE TOWN OF DENMARK.

THESE ISSUES ARE TOO IMPORTANT TO BE CONSTRAINED BY INTERNATIONAL TRADE RULES, WITH THEIR OVERARCHING COMMERCIAL FOCUS,

DECISIONS ABOUT WATER IN MAINE ARE TOO IMPORTANT TO BE DETERMINED BY UNELECTED INTERNATIONAL TRADE TRIBUNALS RULING FROM FAR AWAY ON THE BASIS OF RIGID AND UNBALANCE TREATY RULES.

DECISIONS ABOUT WATER SHOULD BE MADE HERE IN MAINE BY MAINERS WITH OUR ECOSYSTEM AND FUTURE UPPERMOST IN MIND.

THE COMMISSION HAS ASKED FOR PUBLIC INPUT TONIGHT ON WHAT FUTURE TRADE AGREEMENTS SHOULD LOOK LIKE. I WOULD INSIST THAT WATER—WHETHER VIEWED AS A GOOD, SERVICE OR INVESTMENT—BE KEPT WELL BEYOND THE REACH OF INTRUSIVE TRADE RULES.

SPECIFICALLY, I REQUEST THE COMMISSION DO THE ANALYSIS AND THEN TAKE THE NECESSARY ACTION TO ENSURE THAT WATER ISSUES IN MAINE ARE FULLY PROTECTED FROM TRADE TREATY RULES. AND THAT WE FIGURE OUT HOW WATER CAN BE EXCLUDED IN THESE AGREEMENTS..

THANK YOU FOR PROVIDING US AND OPPORTUNITY TO SHARE OUR CONCERNS WITH YOU