



**Testimony in Support of House Bill 614
Environmental Accountability and Transparency Act
House Environment & Transportation Committee | February 19, 2020**

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The Chesapeake Climate Action Network and our lobbying arm CCAN Action Fund have spent the past 15 years advocating to get laws on the books to improve our environment, kick-start a clean energy future, and reduce our greenhouse gas pollution. We rely on these state laws, and on federal environmental laws, to help us fight climate change.

Laws are only effective if they're enforced, however, and effective enforcement takes resources. Since 2002, state agencies staffing has been cut by 6,500 positions, which has led to dramatic decreases in environmental agencies' ability to provide the public accountability and transparency of their enforcement activities.

Access to environmental information is a fundamental right found in state, federal, and even international law. The Maryland Environmental Policy Act (MEPA) requires of state agencies "the fullest practicable provision of timely public information" and Maryland's Public Information Act establishes that "all persons are entitled to have access to information about the affairs of government."

In 2015, advocates, the media, and Maryland residents took action to reform Maryland's Public Information Act. Frustrated by government agencies who often stymied public access through delays, unnecessary redactions, and excessive fees, we worked to overhaul Maryland's open records law. Among the efforts to improve the PIA was the creation of an Office of the Public Access Ombudsman. This independent office was set up to mediate PIA disputes and serve as a resource for the public.

In December 2017, the Attorney General reported to the General Assembly on the PIA overhaul. The report concluded that the ombudsman has been helpful in solving some of the problems with the PIA. During her first 17 months in office, for example, she received 327 mediation requests and resolved approximately half of them within eight weeks.

The PIA reforms of 2015 demonstrated that an ombudsman can help bridge the gap between the state and its residents. Since the overhaul, CCAN has used the PIA to effectively gain



access to documents that help us accomplish our mission. The system is not perfect, but the process has been stream-lined and agency response times have improved.

More generally, the overhaul showed that an ombudsman can help solve disputes and shed light on the often murky inner workings of a state bureaucracy. This sunlight helps improve confidence and trust in our state agencies.

Based on this experience, CCAN Action Fund supports the Environmental Accountability and Transparency Act, which would create an autonomous Office of Environmental and Natural Resources Ombudsman housed within the State Office of the Attorney General to assist with communication between the public and the agencies on their activities. This environmental ombudsman will help improve communication between the state's environmental agencies and the public, alleviate some of the burden on our understaffed agencies, and help advocates including CCAN and our members effectively enforce the laws we worked so hard to get on the books.

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