



January 20th, 2021

Written Testimony on HB 82  
*Maryland Amendment for Environmental Human Rights*  
Environment and Transportation Committee

**Position: FAVORABLE**

Sunrise Movement Baltimore supports HB 82, the Maryland Amendment for Environmental Human Rights.

Sunrise Movement Baltimore is a hub of the national movement to fight for a future where everyone has access to good jobs, clean water and air, and a livable future. In the legislation we have already endorsed and are considering endorsing for this session, we are inspired by the Green New Deal - a bold vision to create millions of jobs amidst addressing the climate crisis.

One of the pieces of legislation we believe best embodies the green new deal mission is the environmental human rights amendment, a constitutional amendment that enshrines all Marylanders have a fundamental right to a healthy environment and empowers Marylanders to go after polluters in court and seek environmental justice. The bill presents forward-looking language that puts the well-being of people and the environment first.

Voting favorably for the Maryland Amendment for Environmental Human Rights will give the right to live in a healthful environment to every Marylander across the generations: those alive today - especially the children - and all those yet to come. It will also create a solid legal basis to review and revise our existing environmental legislative authorities to better protect our environment, economy, and public health.

We currently rely heavily on the legislative process to get the job done. That is not enough. We need to recognize the right to a healthy environment in our Constitution to assure such protection. Years of not protecting this fundamental right through the existing legal authorities has left the door open for disparities in exposure to air and water pollution as well as increased rates of asthma, heart disease and cancer due to environmental pollution of our land and our bay.

Six states already have environmental rights in their constitutions. More states are currently considering adding them.

The Environmental Rights Amendment would work in tandem with existing environmental policy and environmental legislation to assure that:

1. “Each person has the fundamental and inalienable right to live in a healthful environment”, including clean air, water, land and a stable climate; and
2. The State has the necessary legal authority and responsibility to serve as the trustee and protector of Maryland’s natural resources for current and future generations.

This self-executing amendment ensures that the right of all Marylanders to a healthful environment, a fundamental right that is already recognized in Maryland law, is implemented, that all levels of government have the necessary authority to base their decisions on it, and that the State has a solid legal basis to carry out its functions as natural resource trustee. Taken together the amendment will ensure that public health and the environment will remain a top priority for our State over time.

We also expect that the EHR amendment will encourage agencies at all levels of Maryland government to carry out their responsibilities in a way that strengthens the important natural resource and public health protection objectives of the Amendment. Permit exceptions could, for example, be tailored to avoid conflicts with the State’s role as trustee of our natural resources. Local governments would also have legal support to invest in urban ecosystem restoration and promote healthful environments.

This is the time for this Amendment, particularly as we continue to struggle with the ongoing pandemic. The past year has underscored the tremendous dangers we face due to the increased exposure of all humankind to zoonotic illnesses (diseases transmitted from animals to humans). It has made clear that our increased use of natural resources and global mobility have put us in ever closer contact with animals and other organisms that humans had little prior exposure to. Because of Maryland's geography, reliance on maritime commerce, and high levels of mobility and urbanization, all Marylanders are uniquely at risk. This pandemic and the risk of others that may yet come, has also underscored the tremendous living and healthcare inequities that have existed in our state for generations. Those circumstances demand that we take a close look at our legal system and put a stronger foundation in place, one that addresses the inequities we all know exist and protects everyone’s right to live in a healthy environment.

We urge a FAVORABLE report for this crucial Amendment.