

January 13, 2021

The Honorable Kumar P. Barve
Environment & Transportation Committee
House Office Building, Room 251,
6 Bladen St., Annapolis, MD, 21401

RE: Opposition to HB 82 Constitutional Amendment - Environmental Rights

Dear Chairman Barve:

The Maryland Building Industry Association, representing 1,100 member firms statewide, appreciates the opportunity to participate in the Discussion surrounding HB 82 Constitutional Amendment - Environmental Rights. MBIA opposes this piece of legislation.

This measure proposes an amendment to the Maryland Constitution establishing certain individual rights, including a right to a certain clean and healthy environment and the right to intervene in an action brought by the State or a political subdivision of the State. While we appreciate the intent and are supportive of measures to protect the environment we do not feel that the Constitution is the right mechanism for this.

This dramatic and unnecessary expansion of legal standing is an inefficient use of State resources and will significantly affect the land use and development process. The local planning process already offers extensive public input opportunities through various hearings, public input meetings, and open comment periods. Anyone concerned with the potential environmental impact of a land use decision has ample opportunities to voice those concerns. Expanding the ability of someone who is not aggrieved or can not show harm as a result of a land use decision is a redundant use of government resources and will result in costly unnecessary delays.

Moreover, participating in and defending against these lawsuits will disproportionately affect the small builders who make up the backbone of our industry. This could also have an affect on housing affordability across the state.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment and Transportation Committee