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**MARYLAND ASPHALT ASSOCIATION**



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G. Marshall Klinefelter

March 9, 2022

Senator William C. Smith, Jr., Chair  
Senate Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: SB 783 – UNFAVORABLE – Constitutional Amendment – Environmental Rights**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Asphalt Association (MAA) is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 783 would amend the Maryland Constitution to establish that every person has the fundamental right to a healthy and sustainable environment that may not be infringed. Our Association doesn't oppose this legislation as a concept – of course we believe that having a safe and healthy environment is essential – but we cannot support the vehicle this bill uses to establish that concept. This opens up everyone, particularly industries like ours, to extensive litigation. This would give any citizen of Maryland standing to bring any suit against really anyone that infringes on his or her right to a "healthy and sustainable environment." The Maryland Department of Environment is already authorized to bring both criminal and civil suits for violations of the Environment Article in the Maryland Code, or any rule, regulation, order or permit adopted. This legislation is amorphous and will not work in practice.

We appreciate you taking the time to address this important issue and we respectfully urge an unfavorable report on Senate Bill 783.

Thank you,

A handwritten signature in red ink that reads "Marshall Klinefelter". The signature is written in a cursive, flowing style.

Marshall Klinefelter  
President  
Maryland Asphalt Association