



THE EPISCOPAL DIOCESE OF MARYLAND

TESTIMONY IN SUPPORT OF HB 0596: Constitutional Amendment – Environmental Rights

****FAVORABLE****

February 23, 2022

TO: The Hon. Kumar Barve, Chair; the Hon. Dana Stein; Vice-Chair; and the members of the Environment and Transportation Committee

FROM: The Rev. Kenneth O. Phelps, Jr; Vice-Chair of the Maryland Episcopal Public Policy Network

In November of 2021, the 237th Convention of the Episcopal Diocese of Maryland, voted overwhelmingly to support the passage and adoption of this constitutional amendment.

Contemporary society provides us with a host of environmental challenges, too many for our state legislature to be able to reasonably handle in its short 90-day sessions. This amendment provides a safety net that encompasses a broad array of issues, preventing environmental degradation, both now and in the future.

The environmental laws and policies our lawmakers have passed are not currently secure. Future administrations and legislatures can reverse or repeal those laws, or differentially enforce them. Even for laws already on the books, insufficient enforcement leads to noncompliance due to a lack of oversight. We need these laws.

A constitutional amendment will offer the strongest, broadest, and most durable legal tool for environmental protection of all citizens of Maryland and especially those communities disproportionately burdened by environmental degradation.

By placing the amendment in the State constitution's Declaration of Rights, it carries the same legal and moral weight as other fundamental civil rights.

By assuring that every person has a right to a healthful environment, this amendment enables those who suffer from environmental degradation, or who are threatened with harm by proposed actions to the environment around them, to challenge those actions as people whose rights have been violated. Without this amendment, individuals who suffer harm appear as supplicants before the law requesting that somehow the public interest be interpreted to protect the environmental values from which they should benefit. This amendment enables them to stand before the law as claimants to their right to a healthful environment, a right that stands on par with all other civil rights.

We urge a favorable report.