

Committee: Environment and Transportation

Testimony on: HB 596 – Constitutional Amendment – Environmental Rights

Position: Favorable

Hearing Date: February 23, 2022

I am a parent, a scientist, and a teacher and I am writing in support of the Environmental Human Rights Amendment to the Maryland State Constitution. This amendment will protect the rights of all Marylanders to live in a healthful environment both now and in the future.

As a scientist – I have been studying the Earth system for over 25 years. I have seen the changes in the systems I study both in the data and in the observations. The planet is changing. I have been teaching college students about these changes for 16 years and I have seen students become gradually more worried about their current and future environment over my years of teaching. A strength of this amendment is it compels the state to protect the environment for current and future generations.

When I teach about the disproportionate burden of pollution on the people of Baltimore, students start to recognize all the places and things they've seen over the years that connect pollution and the social and economic consequences. They constantly ask me why this is allowed, why people aren't protected when they should be. It is clear to them that everyone has the right to a safe and healthful environment, so they do not understand why that right isn't protected and when I stop and think about it – I don't understand it either. It is a fundamental right.

This amendment codifies this fundamental right in our constitution. It will empower individuals and communities protect their health and compel the state to protect the natural resources that we all rely on. Currently the state laws allow harm on a case-by-case basis and do not consider the cumulative effects. For example, I recently advised a community asking for help on preventing a new incineration source in their neighborhood. This community already suffers from the cumulative impacts of emissions, but despite their efforts, they were unable to prevent the approval of the permits despite the widespread community opposition and health concerns. Why should this community bear a disproportionate burden of the health impacts of pollution?

This amendment will ensure environmental rights are given the same protection as other rights. This amendment provides the foundation for communities to seek environmental protections when their rights have been infringed upon by the government. Most environmental laws in Maryland adopt a review, permitting, and management approach rather than focus on prevention as in the example I cited. This amendment will address these deficiencies by enacting overarching protections.

In addition, this amendment is widely supported by the Maryland voters, and they deserve the opportunity to vote on it.

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