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Charlotte Davis, Executive Director

John Hartline, Chair

March 10, 2022

The Honorable Kumar P. Barve
Chair, House Environment and Transportation Committee
251 House Office Building
Annapolis, Maryland 21401

Dear Chairman Barve:

The Rural Maryland Council opposes House Bill 596 - Constitutional Amendment - Environmental Rights.

The broadness of this bill puts the rights of Marylanders at risk by allowing anyone who feels that their environmental rights are being infringed to intervene. The bill states that Maryland will be the trustee of the State's natural resources including the air, land, water, wildlife, and ecosystems. If the infringement of these natural resources is left up to the opinion of each individual, it leaves open the possibility for Marylanders to be unreasonably accused of violations that have no precise meaning and no way of being followed. The State already has environmental regulations to protect natural resources, and this amendment could affect many public services that the State offers.

There is no definition of what qualifies as an infringement in the bill, therefore, it puts the rights of Marylanders outdoorsman and outdoor recreationalist at risk. If an individual believes that a hunter is violating their environmental rights by harvesting wildlife for food, does this this qualify as an infringement of that individuals environmental right? The same could be said for Maryland's watermen. If a waterman is harvesting oysters, another individual may claim that harvesting oysters is affecting the environment because the waterman is removing one of the creatures that helps clean the water. When it comes to infringement on land, hiking trails or any form of recreational outdoor activity may be at risk for disrupting the natural state of the wilderness, or what an individual may perceive as doing so. There are already limitations put in place by the State of Maryland to ensure that the States land and wildlife is protected from being overharvested or overused, making the constitutional amendment unnecessary.

The bill may also affect the businesses of Maryland. If a business is building in a new location and someone believes that the building is disrupting a natural resource, the business may be forced to locate elsewhere or have to handle the unnecessary allegation. These issues could make businesses locate out of the State to avoid the unnecessary troubles. There are already laws and regulations that protect the environment from environmentally unsafe construction and operations.

This bill has good intention by attempting to provide a healthy and sustainable environment for all Marylanders, and the Rural Maryland Council believes in these goals as well. Because the bill is very broad, there is no way to define what these constitutional rights are or what qualifies as an infringement of those rights. The Rural Maryland Council respectfully requests an unfavorable vote on House Bill 596.

Sincerely,

Charlotte Davis,
Rural Maryland Council
Executive Director