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Chair Smith, Vice Chair Waldstreicher, Members of the Judicial Proceedings Committee,

I am writing to urge a **FAVORABLE** report on **SB 783**. I am not submitting this testimony on behalf of any organization. I am not an environmental policy expert, nor a law student. I am just a citizen who values justice. I was raised in Montgomery County, and currently attend school at Washington College in Kent County. I hope to live in this state for my whole life, and to one day raise a family here, in a state that preserves its ecosystems and recognizes the importance of a healthful environment for the wellbeing of its citizens.

Senators, the fight for sustainability and a clean environment is more than just that, **it is a fight for justice**. Countless works have been written on the disproportionate impact that climate change, pollution, and negative air and quality have on communities of color. Far too often, the concerns of those communities are ignored in our legislative and judicial systems. While we may *value* a healthful and sustainable environment, we do not guarantee it. We do not ensure that the communities that need it most have access to a healthful environment.

But how would this Bill change that? Adding this self-executing provision to the State Constitution would not only assure the right to a “healthful and sustainable environment,” but it would also ensure that the State cannot take any action to infringe that right. This amendment also directs the State to “conserve, protect, and enhance” the state’s resources for all its citizens. This amendment tells the State what not to do or tolerate, and what it needs to do.

Policies are temporary. A new Governor, Party, or Judge in power can completely shift the direction of policies. We can pass all sorts of climate change, sustainability, or conservation legislation, but at the end of the day all of that can be undone. **While policies are temporary, rights are universal.**

Passing this broad measure could give new legal arguments for those who have been harmed by environmental injustice to use in the judicial system. It

will not, however, change who has standing to file a suit, nor does it allow individuals to just sue their neighbors whenever they like. This amendment designates the State as the *trustee*, and as such is the entity responsible for ensuring these rights are being maintained.

Some may argue that this amendment would give the Judiciary authority to dictate climate policy, but to debunk that, one can look to our Mid-Atlantic neighbors. New York and Pennsylvania have already implemented “Green” Amendments, such as this, into their Constitutions. Only a handful of states have done this, and **Maryland could become a leader in the nation** if we take this step. As for the aforementioned argument on the role of the Judiciary, the New York State Bar Association did not find evidence of increased judicial activism, although courts may interpret the law in such a way that suggests a policy directive, and that is the point.

In Pennsylvania, their Environmental Rights Amendment has been interpreted in court to mean that as a trustee, their state has “a duty to duty to prohibit the degradation, diminution, and depletion of our natural resources, whether these harms might result from direct state action or from the actions of private parties,” and that the Commonwealth “must act affirmatively via legislative action to protect the environment.” Maryland, too, should be the trustee for its environment.

Senators, **it is time to guarantee our citizens the fundamental human right to a healthful and sustainable environment.** Our state has the chance to become a leader in the fight for sustainability, conservation, and justice. I strongly urge a **FAVORABLE** report on **SB 783**, and thank you for your time and consideration.

Sincerely,



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