

Committee: Judicial Proceedings
Testimony on: SB783 – Constitutional Amendment – Environmental Rights
Organization: Takoma Park Presbyterian Church, Social Witness & Action Committee
Submitting: Ferd Hoefner
Position: Favorable
Hearing Date: March 9, 2022

The Social Witness and Action Committee of the Takoma Park Presbyterian Church strongly supports SB783– Constitutional Amendment – Environmental Rights. As a community of faith and an Earth Care Congregation, we believe that Maryland should place environmental rights at the highest level of Maryland law, by including it in the State’s Constitution, as is the case for freedom of speech.

The Amendment would grant all people the ability to hold state and local governments accountable for ensuring a healthy environment for everyone. As a “church for all people,” we believe that we are all equal; no one person is more important than the next person. However, we understand that some communities, particularly communities of color, have born a disproportionate burden when it comes to environmental harm. There is a moral imperative to level the playing field and provide access to environmental protection to all people in Maryland. This amendment would do precisely that by enshrining in Maryland’s Constitution:

“(A) That each person has a fundamental and inalienable right to a healthful and sustainable environment, and said right shall not be infringed.

(B) That the State, as trustee, shall protect, conserve, and enhance Maryland’s natural resources, including its air, lands, waters, wildlife, and ecosystems, for the benefit of both present and future generations.”

Such a constitutional amendment would achieve many important purposes.

- To establish that environmental protection is one of the State’s highest priorities, and is available to all Marylanders as a matter of “equal protection of the laws;”
- To address disparities in environmental protection experienced by historically overburdened communities, and who experience hostile environmental conditions affecting their physical, mental and spiritual health;
- To provide a legal tool to address increasingly complex, synergistic and severe environmental threats, including industrial pollution and climate change;
- To provide a foundation for improved State laws and regulations, and to compensate for potential degradation or weakening of federal laws.

Maryland would be following in the footsteps of other states that have embraced the principle of environmental human rights by including them in their state constitutions, namely Pennsylvania, Montana, Illinois, Massachusetts, Hawaii, and most recently New York.

For all of these reasons, we ask you to vote favorably on SB783.