



Maryland Catholics for Our Common Home

Responding to the cry of the Earth
and the cry of the poor.

Hearing before the Senate Education, Energy and the Environment Committee
Maryland General Assembly
March 26, 2024

**Statement of Support (FAVORABLE WITH AMENDMENTS)
of Maryland Catholics for Our Common Home on
HB 1101, Clean Water Justice Act of 2024**

Maryland Catholics for Our Common Home (MCCH) is a lay-led organization of Catholics from parishes in the three Catholic dioceses in Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. It engages in education about, and advocacy based upon, the teachings of the Catholic Church relating to care for creation and respect for all life. MCCH is a grassroots voice for the understanding of Catholic social teaching held by a wide array of Maryland Catholics—over 500 Maryland Catholics have already signed our statement of support for key environmental bills in this session of the General Assembly—but it should be distinguished as an organization from the Maryland Catholic Conference, which represents the public policy interests of the bishops who lead these three dioceses.

MCCH would like to express its strong support for passage of House Bill 1101, the Clean Water Justice Act of 2024, with the inclusion of the sponsor amendments as described below. As Catholics, we view care for God’s creation and care for vulnerable groups in society as an integral part of our faith, as taught by recent Popes, including the forceful statements of Pope Francis in his encyclical, *Laudato Si’: On Care for Our Common Home*¹ (2015), and in his more recent apostolic exhortation, *Laudate Deum*² (2023).

In *Laudato Si’*, Pope Francis devotes an entire section to “*The Issue of Water*” (*Laudato Si’*, Chapter 1, Section II, nos. 27-31). He speaks directly to the impact of “water poverty” relating to the availability of fresh drinking water (*Laudato Si’*, no. 28); the problem of water quality available to the poor in light of mining, farming, and industrial actions that are not adequately regulated or controlled (*Laudato Si’*, no. 29). Pope Francis also draws attention in *Laudato Si’* to the how the scarcity of water will lead to increases in the cost of food and products which depend on its use (*Laudato Si’*, no. 31)—all of which will disproportionately impact the poor and most vulnerable.

We believe the mentality behind the lawsuit (*Sackett v. EPA*) that gutted the Clean Water Act of its ability to regulate water (especially wetlands) represents a lack of concern—other than economic benefits to be obtained—for the common good and the demands of social justice. The current situation created by this lawsuit will likely lead to a greater loss of wetlands, a greater loss of animal habitats, along with more pollution which, again, is more likely to impact the poor and more vulnerable among us. This must be fixed.

House Bill 1101, the Clean Water Justice Act of 2024, will restore the right for impacted community members—again, more likely the overburdened and underserved—to enforce the law protecting clean water in state court, in the same way that they were previously able to do in federal court. This will help maintain the common good based on fairness and morally and scientifically justified standards. The bill is also in keeping with Pope Francis’s admonition in *Laudato Si’* that the ecological crisis we face necessitates the need to assure “that each government carries out its proper and inalienable responsibility to preserve its country’s environment and natural resources...” (*Laudato Si’*, no. 38) From our Catholic faith perspective, this bill contributes to the restoration of our common home, promotes the common good, and helps meet the demands for social justice.

We believe that the Clean Water Justice Act of 2024 will move the State of Maryland forward in a positive direction, but to do so in the most effective way, it would be important for the Senate to correct a deletion made by the House of Delegates, by adopting the sponsor amendments that will put “political subdivision” back into the bill under who can be sued. "Political Subdivision" is extremely important to include, because if it is removed, this bill would make Maryland law far weaker than was the case before the Supreme Court’s decision in Sackett v. EPA. That would be an anomalous and unfortunate result. MCCH also supports the additional of uncodified language that had previously been offered as an amendment to House Bill 1101, which would set up an informal stakeholder process to review how the new law is functioning after two years. This will help ensure that the bill accomplishes its goals without undue or unintended consequences.

For all the above reasons we strongly urge your support of House Bill 1101, the Clean Water Justice Act of 2024, with the sponsor amendments described.

Thank you for your consideration of our views and our respectful request for a **favorable with amendments** report on House Bill 1101.

¹ The English text of the encyclical, to which the paragraph numbers in the parentheses, can be found at: https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html.

² The English text of the apostolic exhortation, to which the paragraph numbers in the parentheses refer, can be found at: https://www.vatican.va/content/francesco/en/apost_exhortations/documents/20231004-laudate-deum.html.