



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 1, 2024

Committee: House Environment and Transportation

Bill: HB 1101 – Standing - Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)

Position: Oppose

Reason for Position:

The Maryland Municipal League respectfully opposes House Bill 1101. This bill expands circumstances and parties who qualify for legal standing and would allow those persons to sue any person or governmental entity for alleged violations of a “standard” under the Environment or Natural Resources Articles.

While we appreciate the intent behind a statewide value of environmental protection, this expansion is an unnecessary overreach and could be expensive for local governments. Existing laws on the federal, state, and local levels already provide legal avenues for environmental protection. Under the Environmental Standing Act, the Attorney General, a local government, or any person may pursue legal action for mandamus or relief against the State or an agency for its failure to perform a duty decreed in statute or regulation. The Maryland Department of the Environment (MDE) is authorized to bring both criminal and civil suits for statutory and regulatory violations. Local governments are also authorized to bring civil suits for statutory and regulatory violations. Existing local, state, and federal statute law is more than adequate to address land use and environmental conflicts.

Furthermore, the League is concerned that the actions of municipal governing bodies, planning commissions, boards of zoning appeals, and historic district commissions will be more apt to be questioned in a judicial setting. This measure establishes a new cause of action, resulting in more individuals or entities seeking judicial review of land use and environmental actions of a legislative body and/or an increase in the length of time and resources needed to address individual cases. Local governments will undoubtedly be exposed to increased costly and time-consuming litigation.

For these reasons, the Maryland Municipal League opposes HB 1101 and respectfully requests an unfavorable committee report.

FOR MORE INFORMATION CONTACT:

Theresa Kuhns	Chief Executive Officer
Angelica Bailey Thupari, Esq.	Director, Advocacy & Public Affairs
Bill Jorch	Director, Public Policy & Research
Justin Fiore	Deputy Director, Advocacy & Public Affairs