

HB0340_RichardKaplowitz_FAV
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TESTIMONY ON HB#0340 - POSITION: FAVORABLE

Climate Change - Attorney General Actions, Climate Change Restitution Fund, and Climate Change Restitution Fund Advisory Council

TO: Chair Pena-Melnyk, Vice Chair Cullison, and members of the Health and Government Operations Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of HB#0340, Climate Change - Attorney General Actions, Climate Change Restitution Fund, and Climate Change Restitution Fund Advisory Council

“Environmental laws and regulations are meaningless if industrial facilities do not comply with permits — one of the few tools for limiting pollution — and regulators do not hold them accountable. The implications of failed permitting and enforcement are particularly consequential for the environment.”¹

“The risks from these polluters threaten us all. Still, it’s no coincidence that many of their facilities – large and small – are located in communities already overburdened by industrial pollution, communities made up of low-income families, immigrants, and people of color.”²

This bill centers Environmental Justice in Maryland by Authorizing the Attorney General to investigate, commence, and prosecute or defend any suit or action that holds certain entities accountable for tortious or otherwise unlawful conduct that has contributed to climate change. It will generate that justice by establishing the Climate Change Restitution Fund as a special, nonlapsing fund to penalize that conduct. It will mandate the collection of data about climate change as well as the results of prosecutions for these harmful actions on our climate. It will meet that goal by establishing the Climate Change Restitution Fund Advisory Council to provide information to the Governor, the Attorney General, and the General Assembly on climate change and the distribution of the Fund. The funds will be directed to mitigation of the adjudicated harms for which conduct has been legally sanctioned.

I respectfully urge this committee to return a favorable report on HB0340.

¹ <https://progressivereform.org/public-protections/public-protections-hold-polluters-accountable/>

² <https://www.clf.org/strategies/environmental-enforcement/>