



**House Bill 472 – Constitutional Amendment – Environmental Rights**

Committee: Environment and Transportation

February 20, 2019

**Position: SUPPORT**

Dear Chairman Barve, and members of the Committee;

The undersigned organizations strongly urge your support of HB472, and thank Delegate Lafferty and each House co-sponsor for their visionary leadership on this timely and important matter.

Maryland has a well-earned reputation for leading-edge action on matters of environment, clean and renewable energy, and comprehensive health protections for its residents.<sup>123</sup> HB427, colloquially referred to as the [Healthy Green Maryland Amendment](#) (Amendment) builds on that legacy and proposes to enshrine protections for breathable air, clean water, and access to a healthy environment for all Marylanders in our most highly regarded authority, our state constitution, for [generations](#) to come. As the latticework of federal protection is threatened on a daily basis by rollbacks, reversals, and other restraints, Maryland may no longer be able to count on preemptive action and must begin to build its own state level defenses to ensure our continued trajectory of growth.

The proposed Amendment places these values into our State's Declaration of Rights and connects them to the existential threat of our lifetime, a warming planet and related extreme weather events. As climate change alters our relationship to the land and water, we must be nimble in our thinking to safeguard the most vulnerable and bolster our state and local government's ability to respond to the threat.

The proposed Amendment promotes the development of an overarching standard that would support our shared interests in greater clean and renewable energy use, produced within our state,

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<sup>1</sup> See 2017 Senate Bill 340/ House Bill 1225, University of Maryland School of Public Health, Center for Health Equity Workgroup on Health In All Policies, January 2018  
<https://sph.umd.edu/sites/default/files/images/che/HiAP/SB340%20Report%20FINAL%201.29.18.pdf> Accessed February 1, 2019

<sup>2</sup> See Maryland Commission on Climate Commission 2018 Annual Report, Mitigation Working Group Recommendations, pp. 55–57,  
[https://mde.maryland.gov/programs/Air/ClimateChange/MCCC/Documents/MCCC\\_2018\\_final.pdf](https://mde.maryland.gov/programs/Air/ClimateChange/MCCC/Documents/MCCC_2018_final.pdf)  
Accessed February 1, 2019

<sup>3</sup> Maryland Renewable Portfolio Standard (2004) <https://www.psc.state.md.us/electricity/renewable-energy/>  
Accessed February 1, 2019

and the development of local businesses that support those ends. Similarly, the proposed Amendment complements our existing law on standing for environmental action, and fits well with our common law while expanding access to just transition, jobs, and the preservation of our shared heritage, historical, and legacy sites. Finally, the proposed legislation would support the robust defense of our flood management, stormwater, and Maryland Environmental Policy Act aims to protect, maintain, and enhancement our environment, by acting as a bright line for action by the Maryland Department of Environment, Department of Natural Resources, and Departments of Transportation and Health, among others.

Each year we bear witness to increasing incidences of extreme heat and flooding that spurs annual property damage in Annapolis, the Eastern Shore, Western, and Southern Maryland, Baltimore City, and painfully reoccurring events in Historic Ellicott City. We are in a new age. The impacts of climate change are upon us now, with the Intergovernmental Panel on Climate Change and the Fourth Annual National Climate Assessment bringing the urgency into sharp relief.<sup>45</sup>

We understand that we have less than eleven years to avoid encouraging the worst possible impacts by 2100.<sup>6</sup>

As such, we support bold action from our state leadership where it has a distinct advantage over the national dialogue. Maryland is already hard at work developing solutions for the elements of a climate in crisis. The proposed Amendment provides an enduring framework for that action. Additionally, this legislation puts our state ahead of the global curve at a time when the United Nations is explicitly asserting that “a right to a healthy environment strengthens environmental rule of law by encouraging stronger environmental statutes, filling gaps in existing law, providing procedural protections, and highlighting the importance of environmental law in society.”<sup>7</sup>

While we acknowledge that a fiscal note is likely to struggle to accurately define the impact of this legislation to date, we urge a favorable report from this committee to further the public dialogue and continue our development of forward thinking policy that protects life, liberty, and the pursuit of health in our environment and our communities.

The organizations listed below strongly urge a favorable report on this important legislation.

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<sup>4</sup> Jay, A., D.R. Reidmiller, C.W. Avery, D. Barrie, B.J. DeAngelo, A. Dave, M. Dzaugis, M. Kolian, K.L.M. Lewis, K. Reeves, and D. Winner, 2018: Overview. In Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II [Reidmiller, D.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, K.L.M. Lewis, T.K. Maycock, and B.C. Stewart (eds.)]. U.S. Global Change Research Program, Washington, DC, USA, pp. 33–71. doi: 10.7930/NCA4.2018. <https://nca2018.globalchange.gov/chapter/front-matter-about/>

<sup>5</sup> Special Intergovernmental Panel on Climate Change Report on Global Warming of 1.5°C, Summary for Policy Makers (2018), <https://www.ipcc.ch/sr15/chapter/summary-for-policy-makers/> Accessed February 1, 2019

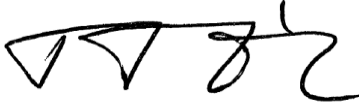
<sup>6</sup> *Id.*

<sup>7</sup>United Nations Environment Programme 1<sup>st</sup> Global Report on Environmental Rule of Law “A right to a healthy environment strengthens environmental rule of law by encouraging stronger environmental statutes, filling gaps in existing law, providing procedural protections, and highlighting the importance of environmental law in society”

*Maryland Pesticide Education Network  
Clean Water Action  
DMV Environmental Justice Coalition  
Annapolis Green, Inc.  
Earth Forum of Howard County  
Earth Coalition  
Blue Water Baltimore  
Navitas Solar Led USA  
Assateague Coastal Trust  
Maryland Wise Women  
Unitarian Universalist Legislative Ministry  
of Maryland  
ShoreRivers  
Mattawoman Watershed Society  
Rachel Carson Council  
Bikemore  
Little Falls Watershed Alliance  
Maryland League of Conservation Voters  
Green and Healthy Homes Initiative*

*The Maryland Legislative Coalition  
Safe Healthy Playing Fields Coalition  
Community of Communities  
Trash Free Maryland  
Sierra Club, Maryland Chapter  
Equity Matters, Inc,  
The Pearlstone Center  
Bike and Brunch Tours, Baltimore  
Patuxent Tidewater Land Trust  
Interfaith Power & Light (DC, MD, NoVA)  
Climate and Law Policy Project  
Maryland Children's Environmental Health  
Coalition  
Neighbors of the Northwest Branch of the  
Anacostia River  
The League of Women Voters of Maryland  
Climate Stewards of Annapolis  
Friends of Bohemia (WIA)  
Audubon Naturalist Society  
Energize Maryland*

Thanks in advance for your consideration.



Tamara Toles O'Laughlin  
Executive Director  
Maryland Environmental Health Network  
2 East Read Street, 2nd Floor  
Baltimore, MD 21202  
Phone: 410-727-1205