

Committee: Environment and Transportation
Testimony on: HB 596 - "Environmental Human Rights Amendment"
Organization: Climate Parents of Prince George's
Person Submitting: Joseph Jakuta, Lead Volunteer
Position: Favorable
Hearing Date: February 23, 2022



Dear Mr. Chair and Committee Members:

Thank you for considering our testimony today in support of HB 596 on the Environmental Human Rights Amendment (EHRA). Climate Parents is a campaign to reduce climate change causing pollution in schools and our group is active in Prince George's County.

HB596, if passed and approved by voters in November, would enshrine 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."

The EHRA would give regular people the ability to hold state and local governments accountable for ensuring a healthy environment, which is particularly important for the young people of today as they face a world beset by the impacts we are already seeing from the climate emergency and the continuance of environmental injustice.

Although the General Assembly has passed and can pass strong environmental legislation it is not guaranteed and sometimes takes years. Sometimes there is success. For example, in 2021 the General Assembly enacted a climate test for the Public Service Commission (PSC). But the PSC not being required constitutionally to consider the right to a "sustainable environment" meant this problem had to fester for years and a similar problem still needs to be fixed for the numerous other agencies. Given that every year we delay tackling the climate emergency makes our children's world less sustainable this amendment would provide them with more of a guarantee that Maryland would act without being required by the General Assembly when a specific, acute problem becomes overwhelming.

Pennsylvania and Montana have had similar language in their constitutions since the 1970's and voters in New York approved environmental rights language last November. Experience has shown that there is not a flood of litigation in states with environmental rights in their Constitutions. Furthermore, civil servants do tend to take their duty to uphold the Maryland Constitution seriously so one would expect that state and local governments will make the EHRA part of their decision making and most litigation would be unnecessary.

In the end the General Assembly should let the voters decide. Passing HB596 is not the final step since this amendment like others needs to be approved by the voters. A recent poll found that 76% of Marylanders surveyed would support the EHRA and 69% said they would vote in favor of it if the election were held today. Parents like us need to give our children the tools to make a better world and the EHRA is an important legacy we want to leave for them.

We encourage a **FAVORABLE** report for this important legislation.