

**CITY OF BALTIMORE  
COUNCIL BILL 20-0198R  
(Resolution)**

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Introduced by: Councilmember Burnett, President Scott, Councilmembers Dorsey, Bullock,  
Henry, Cohen, Pinkett, Sneed, Middleton, McCray, Clarke, Reisinger  
Introduced and adopted: February 10, 2020

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**A COUNCIL RESOLUTION CONCERNING**

**Request for State Action – Establish a Maryland Constitutional Right for  
Environmental Justice and Equity**

FOR the purpose of calling on the General Assembly to pass and the Governor to support House  
Bill 517, which would enable an amendment to the Maryland Constitution guaranteeing clean  
air, clean water, a stable climate, and a healthy and more equitable environment for all  
Marylanders to be placed on the ballot for referendum by Maryland voters.

**Recitals**

The right of all Marylanders to clean water, clean air, stable environment, and a healthy and  
more equitable environment is not assured or protected in either the State or the United States  
Constitution.

The federal government has failed to adequately address these issues and is instead  
overseeing an unprecedented rollback of critically important laws and policies. Indeed, recently,  
the Baltimore Sun has reported that federal Environmental Protection Agency (EPA) has begun  
to back away from its statutory requirements to protect our Chesapeake Bay.

Maryland is nationally recognized as an environmental leader in terms of policies that protect  
against the worst impacts of environmental degradation, but state agencies no longer have the  
resources to enforce our laws designed to protect public health and the environment.

Notwithstanding the progress the State has made, 88% of Marylanders live in counties that do  
not meet clean air standards set by the EPA. In Baltimore, in 2015, the Wheelabrator Baltimore  
incinerator emitted roughly double the amount of greenhouses gases per unit of energy produced,  
on average, by each of the 7 coal plants located in Maryland. Fine particle air pollution from the  
Wheelabrator Baltimore incinerator causes over \$20 million in adverse health effects annually in  
the State of Maryland with many of the adverse health effects being experienced by poorer  
communities. This information led the City Council to pass the Baltimore Clean Air Act in 2019  
to require that the emissions from our solid waste incinerators are better regulated.

Much of the State is at risk from rising sea levels, and Marylanders have lost hundreds of  
millions of dollars in property-value appreciation because of increased tidal flooding. Climate  
change is already disproportionately impacting the most vulnerable, including the elderly, the  
very young, the poor, and those in neighborhoods, many here in Baltimore, already over-  
burdened with our pollution and waste.

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

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1 State and federal regulations contain loopholes that legally allow excessive polluting to  
2 occur, ignoring the cumulative impact of hundreds of discrete pollution sources – thereby  
3 harming the health of our families, friends, and communities.

4 A clean and healthy environment is an essential component to a person’s health and  
5 longevity. 71% of Marylanders said in 2019 that they were concerned about the personal impacts  
6 of extreme weather and climate threats – with 33% stating that they were “very” concerned.  
7 Moreover, 77% of Marylanders reported being concerned about the limited, negative, or lack of  
8 action from the federal government.

9 House Bill 517, the proposed Green Amendment for Environmental Health and Justice,  
10 would elevate the public’s awareness of their right to a healthy environment, bolster a standard of  
11 health of all laws and regulations, and increase the public’s access to justice.

12 House Bill 517 would amend the State Constitution to specify that the State’s natural  
13 resources are the common property of every person and that the State serves as a trustee of those  
14 resources for the benefit of each and every Marylander, now and in the future. In regard to that  
15 right and their role as trustees, the State and its subdivisions should prohibit the unreasonable  
16 diminution of our natural resources.

17 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the  
18 Council believes that it is time for us to amend our State Constitution to enshrine each citizen’s  
19 inalienable right, regardless of socio-economic status, to clean water, clean air, a stable climate,  
20 and a healthy environment.

21 **AND BE IT FURTHER RESOLVED,** That the Council calls on the General Assembly to pass and  
22 the Governor to support House Bill 517, which would enable an amendment to the Maryland  
23 Constitution guaranteeing clean air, clean water, a stable climate, and a healthy and more  
24 equitable environment for all Marylanders to be placed on the ballot for referendum by Maryland  
25 voters.

26 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to Honorable  
27 Chairs and Members of the Baltimore City House and Senate Delegations to the Maryland,  
28 General Assembly and the Mayor’s Legislative Liaison to the City Council.