



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 20-0198R, Version: 0

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill R (Resolution)

Introduced by: Councilmember Burnett

A Resolution Entitled

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.

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

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

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

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

Now, therefore, be it resolved by the City Council of Baltimore, That the Council believes that it is time for us to amend our State Constitution to enshrine each citizen's inalienable right, regardless of socio-economic status, to clean water, clean air, a stable climate, and a healthy environment.

And be it further resolved, That the Council calls 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.

And be it further resolved, That a copy of this Resolution be sent to Honorable Chairs and Members of the Baltimore City House and Senate Delegations to the Maryland, General Assembly and the Mayor's Legislative Liaison to the City Council.