

January 26, 2021

The Honorable Paul G. Pinsky
Senate Education, Health & Environmental Affairs Committee
Miller Senate Office Building,
2 West Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: Opposition to SB 151 (Constitutional Amendment – Environmental Rights)

Dear Chairman Pinsky:

The Maryland Building Industry Association, representing 1,100 member firms statewide, appreciates the opportunity to participate in the discussion surrounding SB 151 (Constitutional Amendment – Environmental Rights). MBIA Opposes the Act in its current version.

This bill would create a constitutional amendment creating a fright to environmental health. MBIA opposes this amendment due to the imprecise nature of how this will be applied. The definitions of what is and is not good for the environment vary greatly from person to person and most people do not have the technical knowledge or scientific capability to be able to make informed judgments about environmental hazards. This leave the state open to being in continuous contention with frivolous lawsuits brought be citizens and lawyers who lack the expertise to distinguish between real environmental hazards and well meaning, but ultimately counterproductive complaints.

This type of legislation could add costs to projects due to unnecessary litigation. This could have a significant impact on small business. In turn, this could costs to housing. Housing affordability is already a growing problem in this state. A 2020 NAHB study shows that for every \$1000 increase in the price of a median priced new home, 2,881 Marylanders will be priced out of the market.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Senate Education, Health & Environmental Affairs Committee