



Maryland Grain Producers Association
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Senate Bill 151 Constitutional Amendment - Environmental Rights

Committee: Judicial Proceedings and Education, Health, and Environmental Affairs

MGPA Position: **OPPOSE**

The Maryland Grain Producers Association serves as the voice of grain farmers growing corn, wheat, barley and sorghum across the state. On an annual basis, nearly a million acres of these crops are grown in Maryland.

Senate Bill 151 proposes a constitutional amendment to establish that every person has the right to a healthful environment. The bill authorizes the State, a political subdivision of the State, and any person to enforce these rights against any public party through appropriate legal proceedings. Every person also has the right to intervene in an action brought by the State or a political subdivision of the State to protect the rights established by the bill.

Current law allows the Maryland Department of the Environment (MDE) to bring a criminal prosecution or a suit for a civil penalty for a violation of any provision of the Environment Article. In general, a party to a civil action must have standing to bring about or participate in the suit. Maryland law traditionally has limited standing to a person that is “aggrieved” by an action or decision. This would give any Maryland citizen standing to intervene on any state application process if they believe it interferes with their right to a “healthful environment.”

Expanding standing to any Maryland citizen, even those not directly impacted by an agricultural operation, could have potentially devastating impacts on family farms. Any citizen would have standing to intervene in application or hearing processes and bring suit. A few examples include irrigation water permits, agricultural building construction, on farm composting, and NPDES permits for pesticide application.

This would further complicate the already arduous process of permitting for farmers and MGPA respectfully asks for a favorable report on SB 151.