



Maryland Forests Association, Inc.

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February 21, 2022

The Honorable Kumar Barve, Chair  
The Honorable Dana Stein, Vice-Chair  
Maryland Environment & Transportation Committee  
House Office Building  
Annapolis, Maryland 21401

Re: HB596- Constitutional Amendment- Environmental Rights

Dear Chairman Barve, Vice-Chair Stein, and Members of the Committee,

The Maryland Forests Association (MFA) opposes the passage of HB596

Maryland Forests Association, Inc. (MFA) is Maryland's voice for forest, wildlife, and natural resource management. As a non-profit 501 c(3) membership-driven organization established in 1976, we represent the entire forest community statewide. Our membership includes private landowners, foresters, recreational groups, and industry stakeholders. We are a conservation-minded group that wants to see forests remain forests. Our industry and goals are often misunderstood and confused with land clearing and land-use change. A recent study by the Harry Hughes Center for Agroecology showed that many Marylanders do not understand forest management and the benefits it provides to both the environment and the economy.

Our laws protect environmental values through a complex yet comprehensive system of statutes, regulations, zoning ordinances, tort and liability requirements, permits, planning, and public scrutiny. This allows citizens to challenge public and private actions which they may feel illegally or unfairly impinge their rights. Enforcing one's environmental rights may be a cumbersome process but it does work while still allowing for a robust local and national economy. However, an unrestricted constitutional right to "a healthful and sustainable environment" potentially creates a situation where one's right is in the eye of the beholder and ignores the system of laws that refines those rights for the general population. It would likely provide each individual with unquestioned standing to challenge any action they deem to be outside the realm of "healthy and sustainable", regardless of whether that action is fully within the limits of the law. It will lead to legal mayhem and override the careful framework of laws and other measures which currently provide environmental protection.

One other state comes to mind as having a similar constitutional measure. The state of Montana's constitution guarantees, "the right to a clean and healthful environment and the rights of pursuing life's basic necessities, enjoying and defending their lives and liberties, acquiring, possessing and protecting property, and seeking their safety, health, and happiness in all lawful ways. In enjoying these rights, all persons recognize corresponding responsibilities." Notice the qualification and this right is enjoyed "in all lawful ways". This is an important qualifier because it preserves those laws which, actually, manifest how this constitutional right is carried out. That is an important distinction and it is clearly missing in this proposed constitutional amendment.

As proposed HB596 could have negative impacts on forest health, forest landowners, and the forest products industry. For these reasons we respectfully ask for an unfavorable report for HB596.

Feel free to contact me via email at [beth@mdforests.org](mailto:beth@mdforests.org) with any questions or concerns

Sincerely,

Elizabeth D. Hill  
Executive Director Maryland Forests Association

