

CHAPTER 702

(Senate Bill 689)

AN ACT to add new Sections 447 to ~~[[453]]~~451, inclusive, to Article 41 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Governor - Executive and Administrative Departments," to follow immediately after Section 446 thereof and to be under new subtitle "43. Maryland Environmental Policy Act," declaring the policy of the State in relation to the environment; declaring each person has a fundamental and inalienable right to a healthful environment; defining certain terms in relationship to this subtitle; declaring certain responsibilities and duties of State agencies; directing that environmental ~~[[impact statements]]~~ effects reports be prepared in conjunction with all proposed State actions significantly affecting the quality of the environment; and providing for the issuance of guidelines by the ~~[[Governor, or his designated agent,]]~~ Secretary of Natural Resources for the implementation of the environmental ~~[[impact statement]]~~ effects reports requirement ~~[[~~; providing the Governor with the power to allow an action to be taken in an emergency based on a certain finding; providing the Governor with the power to delay a proposed State action based on a certain finding; requiring State agencies to prepare and submit annual environmental review reports; and creating a Joint Committee on the Environment~~[[~~.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Sections 447 to ~~[[453]]~~451, inclusive, be and they are hereby added to Article 41 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Governor - Executive and Administrative Departments," to follow immediately after Section 446 thereof and to be under the new subtitle "43. Maryland Environmental Policy Act," and to read as follows:

43. MARYLAND ENVIRONMENTAL POLICY ACT

447. SHORT TITLE.

THIS SUBTITLE MAY BE CITED AS THE "MARYLAND ENVIRONMENTAL POLICY ACT."

448. DECLARATION OF POLICY.

THE GENERAL ASSEMBLY OF MARYLAND FINDS AND DECLARES THAT:

(A) THE PROTECTION, PRESERVATION, AND ENHANCEMENT OF THE STATE'S DIVERSE ENVIRONMENT IS NECESSARY FOR THE MAINTENANCE OF THE PUBLIC HEALTH AND WELFARE AND THE CONTINUED VIABILITY OF THE ECONOMY OF THE STATE AND IS A MATTER OF THE HIGHEST PUBLIC PRIORITY;

(B) ALL STATE AGENCIES MUST CONDUCT THEIR AFFAIRS WITH AN AWARENESS THAT THEY ARE STEWARDS OF THE AIR, LAND, WATER, AND LIVING RESOURCES, AND THAT THEY HAVE AN OBLIGATION TO PROTECT THE ENVIRONMENT FOR THE USE AND ENJOYMENT OF THIS AND ALL FUTURE GENERATIONS;

(C) EACH PERSON HAS A FUNDAMENTAL AND INALIENABLE RIGHT TO A HEALTHFUL ENVIRONMENT, AND EACH PERSON HAS A RESPONSIBILITY TO CONTRIBUTE TO THE PROTECTION,