Submitter: Emily Platt

On Behalf Of:

Committee: Senate Committee On Rules

Measure, Appointment or Topic: SJR28

I am writing in support of SJR 28, which amends the state constitution to explicitly state that all Oregonians have a right to a healthy environment. We are experiencing a hydra-headed threat of rapidly worsening climate change, biodiversity loss, erosion of democratic norms and dismantling of environmental protections at the federal level. Oregon's current system waits to address environmental threats until public pressure forces the Legislature to act. This can be time consuming and ineffective.

The weakness of Oregon's environmental protections is illustrated by the Cherniak v. Oregon case in which the Oregon Supreme Court ruled in 2020 (after nine years in litigation) that youth climate plaintiffs do not have a constitutional right to a healthy environment. Courts have refused to recognize the state's duty to protect critical natural resources, and we don't have years to fight for incremental legal change as the climate crisis worsens. In Oregon, it is clear that without explicit constitutional protections, the courts will not step in to enforce climate protections.

In addition to the limited effectiveness of Oregon's current regulatory system, it also depends heavily on federal environmental laws including the Clean Air Act, the Clean Water Act, the National Environmental Policy Act (NEPA), and the Environmental Protection Agency's definitions of toxic levels to regulate our air, water, ecosystems, and climate systems. These bedrock environmental laws could be in severe jeopardy with the new administration's hostility toward effective environmental protection.

We are experiencing a climate emergency and we urgently require tools to rapidly, effectively and equitably address this existential crisis. SJR 28 is one such tool.