

Submitter: Brian Ettl  
On Behalf Of:  
Committee: Senate Committee On Rules  
Measure, Appointment or Topic: SJR28

Chair Jama and members of the Committee.

For the record, I am Brian Ettl. Let me tell you about the worst day of my life. In 2014, I was plaintiff in a lawsuit led by the Sierra Club in my hometown St. Louis, Missouri. We sued the local utility for the pollution of their coal plant that violated the Clean Air Act near my family's home.

On January 8, 2016, I sat down with the Sierra Club lawyer representing me, a lawyer representing the utility, and a court reporter for my sworn deposition. This was the closest I was to testifying in a court case. All I can say was Wow! It was one of the most grueling experiences of my life to be cross examined for 2 and a half hours. I was a citizen plaintiff, but the defense lawyer grilled me hard on my knowledge of particulate pollution.

By the end of my cross examination, I was physically worn out and exhausted. It felt like I had been in a bar fight and got my butt kicked. This deposition was on a Friday, and I spent the whole weekend in bed to recoup my energy. The case was settled out of court in a way that was a partial victory for the plaintiffs. I am proud to be part of that lawsuit. However, citizens should not have to sue our government or others for a healthy environment and planet.

American photographer Ansel Adams said, "It is horrifying that we have to fight our own government to save the environment."

This is why I am here today to support SJR 28-1: Right to a Healthy Environment. Oregonians' lives and futures depend on a safe and healthy environment. This amendment puts this key value, that all Oregonians hold, into our state constitution. If passed by the voters, the State government will be required to do a better job to prevent environmental threats to the health and safety of Oregonians.

Thank you for considering my thoughts on this.