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Legislators Propose a State Constitutional Amendment to Protect Environmental Rights in Kentucky

Frankfort, Kentucky—Representatives Sarah Stalker and Representative Kim Banta have, on a bi-partisan basis, proposed an amendment to the Kentucky state constitution that will recognize and protect the rights of all the people in the state to clean water and air, and ecologically healthy habitats. The amendment will also recognize a trustee obligation on government within the state to protect the state’s natural resources for both present and future generations. If passed, the amendment would place environmental rights in the state legally on par with other well-recognized fundamental rights such as the rights to free speech, private property and freedom of religion.

The amendment would be added to the state constitution’s bill of rights, and would recognize, as inherent, inalienable and constitutionally enforceable:

“The right to a healthy environment, including a right to clean air, pure water, and ecologically healthy habitats. The Commonwealth’s natural resources, among them its air, water, fauna, climate, and public lands, are the common property of all people, including generations yet to come. As trustee of the environment and its natural resources, the Commonwealth shall conserve and maintain them for the benefit of all people.”

Lead co-sponsor **State Representative Sarah Stalker** explained: "Clean air, water, and soil are not mere resources, they are our planet's lifeblood. Protecting them is to safeguard not just life, but the possibility of life itself for future generations."

“Proposing this constitutional Green Amendment to be added to the state constitution puts Kentucky on the leading edge of a national movement where communities are seeking great respect and protection for their right, as people, to the environmental essentials of life,” said **Maya van**

Rossum, Founder of the national Green Amendments movement and organization, [Green Amendments for the Generations](#) and author of [The Green Amendment, the People's Fight For a Clean, Safe & Healthy Environment](#). According to van Rossum, "Green Amendments are a special type of constitutional environmental rights amendment. By placing environmental rights in a state constitution's Bill of Rights, using carefully crafted language that creates an enforceable right of the people that is self-executing and generational, Green Amendments ensure the highest constitutional protection for the environment and the people of the state that need clean water and air, healthy ecosystems and natural resources to sustain every aspect of their lives."

Constitutional Green Amendments already exist in Pennsylvania, Montana, and most recently New York, where it is being used to encourage and secure stronger environmental protections. In addition to Kentucky, constitutional environmental rights proposals that meet the definition of a Green Amendment include: Connecticut, New Jersey, New Mexico, Hawaii, Maine, Michigan, Nebraska, Oregon and Texas [along with 11 others](#) for a total of [20 amendments proposed in recent years and an additional half dozen on the way](#).

If passed by a 3/5 majority of each of the state's legislative houses, the amendment would then go on the ballot for Kentucky voters. If passed by a majority of Kentucky voters, the amendment would then be added to the state constitution.

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