Industrial externalities, damaging development, and misplaced government decision-making have allowed the inalienable rights of Delaware residents to plentiful and pure water, clean air, a stable climate, and healthy environments to be violated. Despite state environmental laws, regulations, and agencies, Delaware water, air, soils, landscapes, and special natural spaces have been allowed to degrade in ways that are harming every aspect of people’s lives. An effective Constitutional amendment could help change that.

A Green Amendment would constitutionally mandate that Delaware government officials protect the environmental rights of all residents, including present and future generations. The self-executing amendment will allow legal redress when this right is violated by government overreach or inaction.

Establishing an enforceable environmental right will drive better government decision-making at all levels of government and will prevent situations or conditions in which land becomes too contaminated, water becomes too polluted, and air too dirty to support healthy lives, including a healthy economy.

In order to obtain this highest level of protection in Delaware, a proposed amendment must pass both houses of the legislature by a 2/3 vote in two consecutive legislatures, with broad publication to the people prior to the general election in between, before being added to the state constitution. There is no role for the Governor in this process.

The Delaware Green Amendment will amend Article I of the Constitution to recognize and protect the rights of all of the people of Delaware “to a clean and healthy environment,” including protection of “water, air, soil, flora, fauna, ecosystems, and climate, and to the preservation of the natural, cultural, scenic and healthful qualities of the environment.” The proposed amendment will also recognize the duty of the state to “serve as trustee of the State’s natural resources” and to “conserve, protect, and maintain” the state’s natural resources for both present and future generations.

Amend Article 1 by adding a new paragraph 22 to read:

The people of Delaware have an inherent, indefeasible and inalienable right to a clean and healthy environment, including water, air, soil, flora, fauna, ecosystems, and climate, and to the preservation of the natural, cultural, scenic and healthful qualities of the environment. The State shall not infringe upon these rights, by action or inaction. The State's natural resources are the common property of all the people, including both present and future generations. The State, including all branches, agencies, and political subdivisions, shall serve as trustee of the State’s natural resources and shall conserve, protect, and maintain these resources for the benefit of all its people. This provision and the rights stated herein are self-executing and on par with other protected inalienable rights.
A Delaware Green Amendment will...

确保每位政府官员在制定政策的每一个层次上都会努力推动环境保护和污染预防，而不仅仅是在过程的末尾，那时的焦点是许可和管理污染和退化；

填充法律空白，为确保水资源、空气和环境保护提供法律基础，即使在没有州法律或规定提供保护的情况下也是如此 — 如绿修正案可能有助于在开始之前防止PFAS污染；

加强环境正义，确保所有社区 — 不论种族、民族或社会经济地位 — 都有同样权利享有清洁的水和空气及健康的环境，并建立所有政府官员均需保护所有社区的职责；

防止以财产权利为借口损害社区或导致环境污染的现象，因为现在的环境权利必须与财产权利同时被纳入政府行为的权衡中；

确保在决策过程中考虑现有的环境条件及累积影响，因此，对已超载的环境正义社区的累加影响得到政府的承认和处理，而不能仅仅了解这些信息；

赋权于社区，以应对侵犯其环境权利的宪法性侵犯，如清洁的水和空气，并通过提供具有宪法基础的论据和法院的救济来支持他们的倡导；

加强健康的经济增长，避免因环境污染而导致的疾病、清理成本、洪水、干旱、房产价值下降和税收流失；

在法律上将清洁的水和空气、稳定的气候及健康的环境与“自由发言”、“迅速公开审判”、“宗教自由”、“补偿”以及“不合理搜查与扣押”等权利置于同一水平。