



For Immediate Release

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Environmental, Environmental Justice & Youth Leaders Praise Legislators For Proposing Delaware Constitutional Environmental Rights

Wilmington, DE: Delaware leaders are applauding the proposed Constitutional Green Amendment filed Thursday, April 22, Earth Day 2021, by Delaware State Representatives Madinah A. Wilson-Anton and Paul Baumbach. The proposal, HB220, would amend the Delaware Constitution in order to add enforceable environmental rights.

The proposal will amend the state constitution's Bill of Rights 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.

"All Delawareans deserve clean water, clean air, and a healthy environment. But too many communities across our state have been polluted and are now dealing with the health effects of contaminants in their air, water, and soil. That's why we're introducing this legislation, it's important that we outline our rights in the state's constitution and protect our communities," said primary bill sponsor **Delaware State Representative Madinah A. Wilson-Anton.**

"On this Earth Day, I am proud to join my colleague Rep Madinah Wilson-Anton, who is leading this effort to introduce a Green Amendment to the Delaware State Constitution. We only have one Earth, one planet. There are no do-overs. This amendment will ensure that our state embraces its responsibility to serve as faithful stewards of our environment, now, and forever. Our grandchildren and our grandchildren's grandchildren deserve no less," offered **Delaware State Representative Paul Baumbach.**

“With this proposal, Delaware joins the leading edge of the national movement to recognize environmental rights as fundamental inalienable rights deserving the same highest protection that is currently given to speech, religious, civil and property rights,” said **Maya van Rossum, author of the book [The Green Amendment](#) and founder of the organization [Green Amendments For The Generations](#)** seeking to advance constitutional environmental rights nationally. van Rossum also serves as the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network and in that role was the lead environmental plaintiff in the Pennsylvania case that secured constitutional environmental rights for the people of that state. “Our current system of environmental laws and government, in Delaware and nationwide, focuses on permitting pollution rather than preventing it. By contrast, constitutional Green Amendments ensure government officials are making informed decisions focused on protecting environmental rights from the beginning of the decision-making process when protection is best accomplished. Green Amendments are also powerful for advancing environmental justice protections by ensuring government officials are protecting the environmental rights of all people and are constitutionally prohibited from creating environmental sacrifice zones,” added van Rossum.

“It is time that we value clean water as the lifeblood that it is to our communities. This proposal ensures the protection of our water, air and soil for every one in the state of Delaware, as an inalienable right, regardless of zip code,” stated **Maria Payan speaking on behalf of both Socially Responsible Agriculture Project and Sussex Health & Environmental Network.**

“For too long, clean air and water have been negotiable in the state of Delaware and across the United States; the passage of this proposal will change this. HB220 will center the well-being of you, your family and community by ensure that you have clean air to breath, safe water to drink and your food is grown in healthy soil. With HB220, Delaware can help lead the nation toward a brighter and healthier future for ALL,” stated **Kerri Evelyn Harris, Community Organizer and Advocate.**

The Green Amendment proposal was highlighted at a Youth Earth Day Rally held at the Charter School of Wilmington, with students enthusiastically supporting the proposal. Students involved in organizing the rally offered:

David Yan: "It's absolutely fantastic to see how so many students at the Charter School of Wilmington are passionate about protecting Delaware's environment. In fact, we are hosting a school-wide student rally on Earth Day to showcase our outstanding support for the Green Amendment. For the sake of our planet, we all earnestly hope that this bill will pass!"

Claire Andreasen: "It's very uplifting to see all the politicians, citizens, and students of Delaware advocating for a greener state. Between the recent plastic bag ban, the takeoff of Eco Plastics Products of Delaware, and the newly established Youth Environmental Summit, our state has made great strides in recent years. I know that if - or actually when :) - the green amendment is approved, Delaware will continue to inspire us students to advocate for our earth."

The Amendment will need to 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.

Currently constitutional Green Amendments exist in Pennsylvania and Montana. In addition to Delaware, constitutional environmental rights amendments are being advanced in New York, New Jersey, New Mexico, West Virginia, Vermont, Maine, Maryland, Oregon, Washington, Hawaii and Kentucky.

Fact sheets, information and resources on the Delaware Green Amendment movement can be found at www.DEGreenAmendment.org, information on what is happening in other states can be found at www.ForTheGenerations.org.

The proposed Delaware Green Amendment reads as follows:

Section 1. Amend Article 1 of the Delaware Constitution by adding:

§ 22 Protecting the State's Environmental Rights & Natural Resources

Section 22. 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.

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