

# 1995 SESSION

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## HOUSE JOINT RESOLUTION NO. 581

Offered January 23, 1995

*Expressing the support of the General Assembly for upholding Article XI of Virginia's Constitution.*

Patron—Murphy

Referred to Committee on Rules

WHEREAS, the Constitution of Virginia recognizes the importance of maintaining the health of the Commonwealth's natural resources by providing that "it shall be the policy of the Commonwealth to protect its atmosphere, lands and water from pollution, impairment or destruction for the benefit, enjoyment and general welfare of the people of the Commonwealth"; and

WHEREAS, public officeholders who take an oath to support federal and state constitutions thereby agree to uphold the policy stated in Article XI of the Constitution of Virginia; and

WHEREAS, the constitutional prohibition against the taking of private property without just compensation must be upheld consistent with judicial interpretation; however, the Fifth Amendment to the Constitution of the United States cannot be used as an excuse to cause injury to others or to destroy or damage their property; and

WHEREAS, the Commonwealth not only has an obligation under its police power to enforce the constitutional policy to protect the air, the lands, and the waters of Virginia, but it also has the responsibility to manage and protect its own lands and waters, that are held in trust for the benefit of the people; and

WHEREAS, the citizens of the Commonwealth, especially those whose livelihoods are dependent upon healthy fishery resources, abundant timber, and fertile farmlands and those who enjoy these resources recreationally, are entitled to a commitment from the Governor and the General Assembly to protect these resources; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly reaffirm its pledge to uphold the policy stated in Article XI of the Constitution of Virginia and agree to follow the principles enunciated in this resolution so that the rights of all citizens of the Commonwealth will be appropriately recognized and protected.

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