



KENTUCKIANS FOR THE COMMONWEALTH

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Action for Justice

The unified Declaration of members in good standing of the Commonwealth of Kentucky

February 25, 2010

I. *When in the course of human events* a crisis of conditions and confidence looms, it is necessary that the people test the political bands that bind together their community and, finding those bands wanting or frayed, a decent respect to the opinions of mankind requires that they should declare the causes of their discontent and the correctness of their demands.

II. *We hold these truths to be self-evident, that all people are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.* We believe that embedded within these rights that have defined our nation are additional rights to be respected and preserved, that among these are the right to breathe clean air and drink safe water, the opportunity of a basic education for our children and safe employment. We believe everyone should enjoy the opportunity to worship freely and the right to speak openly without fearing for their jobs or attack from their neighbor.

III. *To secure these rights, Governments are instituted among men and women, deriving their just powers from the consent of the governed.* We harbor special appreciation and pride that our state's founders saw fit to establish Kentucky as a Commonwealth – declaring its commitment to the people. We wish to see our government as the just expression of our interdependence, our best hope for the pursuit and protection of the collective good – our common wealth.

IV. Today, Kentucky faces a crisis of monumental proportions. We reside in the eye of the storm of the international energy and climate crisis – a crisis that poses steep challenges today and colossal threats tomorrow. Coal is still a major part of our energy landscape in Kentucky, but not for much longer. Coal production and employment are in decline in Central Appalachia, a consequence of depleted reserves and increasing demand for cleaner energy sources. Yet many of our communities and families remain dependent on coal jobs, waiting for better choices. And too many of our political leaders remain subservient to coal companies that are determined to take every penny's worth of coal, at any cost to our land and people, before allowing Kentucky to transform our energy economy.

V. We know that our commonwealth has the opportunity to turn crisis into progress, and respond to threats in ways that build new prosperity. There are better choices to be made if we can find leaders with the vision and courage to make them. These are times that cry out for leaders who serve the public interest today, and the interests of our children and grandchildren in the future, by advocating for:

- Safe and secure jobs for our coal miners today;
- Strong protections for our mountains, productive soils, forests, water, air, and culture;
- A transition plan for coalfield workers and communities to a new economy;
- Investment in safe and clean energy, and no further subsidies for coal;
- Honest dialogue about the true costs of coal and the real challenges facing the industry; and
- Actions to heal the hostile and dangerous factionalism that has been stirred up in many communities.

VI. Instead of seizing this moment, however, our government is squandering the opportunity and deepening the crisis. At too many turns, our elected leaders have revealed themselves to be servants of the coal companies, not of the people. It seems that no financial or verbal tribute to coal companies is too extreme and no usurpation of our children's birthright too severe for our leaders in Frankfort. The corrosive influence of coal on our democratic institutions is damaging our Commonwealth and our common future. Elected leaders have stifled public discussion of essential issues, diverted scarce public resources to subsidize wealthy corporations, and sped the enactment of laws that despoil our water, air and land. *We submit these facts to a candid world:*

- Legislative leaders and our Governor have failed to create or protect open space for democratic discussion about essential public issues, most notably the Stream Saver Bill which has been denied fair and open consideration for the past five years.
- House Leaders have corrupted the democratic principles of our Commonwealth by installing in positions of great influence coal industry representatives who are thinly disguised as public servants, most notably the chairman and many members of the Natural Resources Committee.
- They have virtually re-instituted the broad form deed by proposing to give the state and corporations the right to seize private property for carbon pipelines and underground carbon storage. These bills would go even further by subsidizing private pipelines with public funds and shielding corporations from future liabilities related to their carbon dioxide pollution.
- The House has made a mockery of ethics and decency by voting to establish a "Natural Resource Caucus" comprised of lawmakers who "promote the interests of the coal, oil and gas industry." This action would allow those industries and their lobbyists to spend an unlimited amount on food, drinks and entertainment for caucus members.
- A majority in the Senate cast a reckless, although ultimately failed, vote for a proposed constitutional amendment that declares "no law or rule shall prevent the severing of coal." Its passage would have made numerous existing health, safety and environmental laws ineffective.
- Meanwhile our leaders have, thus far, failed to conduct authentic, open discussion about genuine, clean energy solutions that Kentucky so desperately needs. A clean energy bill was sent to a coal-dominated committee; the House passed a recent measure discouraging federal action to address our global climate crisis; and our Governor and Senate are pushing to end the state's ban on nuclear generation while willfully ignoring the still

unsolved problem of safe disposal of radioactive waste. Ironically, citizens have been told that the ban must be lifted in order to begin a public conversation about nuclear power in Kentucky.

- These grievances describe acts of leadership taken on behalf of powerful energy interests in only the first half of the 2010 General Assembly session; however they illustrate long-standing and severe problems within our democracy.

VII. We are aware of the difficulty of the political task at hand. We know the fear and desperation that some of our fellow citizens are experiencing. We know of the presence of influential and powerful interests entrenched in our state capital. We are not naïve about the pragmatic workings of government or the practical difficulties of legislating.

But the difficulty of the task and the urgency of the problems compel us to demand more of our elected leaders. We do not believe the people of this Commonwealth should be asked to accept corruption arising from old habits or inertia. We should not tolerate self-serving measures when authentic solutions are available. Our grandchildren should not suffer tomorrow because of a lack of vision or political courage today.

VIII. We therefore, on behalf of the good people of this Commonwealth, call upon our government to fulfill its sworn obligation to faithfully serve the people and lead us toward the better future that is our right and our demand.

We call upon Governor Steve Beshear, and House Leaders Greg Stumbo and Rocky Adkins to take the following actions:

- Invite a genuine, open conversation among all stakeholders leading to a new vision and ideas for a more prosperous, healthy and sustainable economy in Kentucky, and especially in our Appalachian counties.
- Call for an immediate end to extreme and sometimes violent speech that is being aimed at citizens who are working to protect Kentucky's land, air and water.
- Oppose legislation that puts the interest of the coal industry ahead of the public interest.
- Vigorously support clean energy legislation and the Stream Saver Bill.

Additionally we call upon House Leaders Greg Stumbo and Rocky Adkins to take the following necessary actions:

- Remove Chairman Jim Gooch from his position as chair of the Natural Resources Committee and appoint someone to that position who can restore and keep the public's trust.
- Reassign members of the House Natural Resources Committee so as to reduce the excessive influence of the coal industry and to ensure that all of Kentucky's natural resources – including our soil, air, and water – are given fair consideration.
- Restore public trust by openly and fully revealing any financial ties between yourselves and the coal industry, and then severing those ties or stepping aside from your public leadership positions.