

# Proposed Constitutional Amendment: Arkansas Attorney General Again Rejects Clean and Healthy Environment Amendment



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04/22/2026

Arkansas Attorney General (“AG”) Tim Griffin transmitted an April 7th letter to Jennifer Waymack Standerfer rejecting a popular name and ballot title for a proposed Arkansas constitutional amendment titled:

*The Natural Environment Amendment.*

See Opinion No. 2026-034.

The AG had previously rejected in a November 4, 2025, letter to the same individual a popular name and ballot title for a proposed Arkansas constitutional amendment titled:

*The Clean and Healthy Natural Environment Amendment.*

See Opinion No. 2025-110.

The ballot title addressed in the AG’s April 7th letter reads as follows:

... This measure amends the Arkansas Constitution. It affirms the people’s will to protect “The Natural State” for Arkansans today and in the future. It affirms the people’s will to preserve the outdoors and natural resources for Arkansans’ recreation, economy, and public health. It gives Arkansans the right to a clean and healthy natural environment. The government must maintain and improve a clean and healthy environment. If government makes a law or spends money, it must do three things. First, it must protect resources from elimination and for use. Second, it must preserve Arkansas’s natural environment for future Arkansans to enjoy for pleasure, prosperity, and health. Third, it must allow today’s Arkansans to use the natural environment for those same purposes. The “government” does not include the courts. The measure defines “natural environment”. The Commissioner of State Lands will resolve disputes within government. Arkansans may appeal to the Commissioner or the courts. The measure is not retroactive. The measure can only be amended by vote of the people. The legislature cannot amend this amendment. This measure repeals all inconsistent state laws. This amendment is severable. If part of it is held invalid, the rest remains valid if it can stand on its own.

The AG’s letter rejecting the ballot title cites as deficiencies:

- Insufficient summaries (ballot title is misleading because it does not summarize the measure’s text in a way that complies with the law - contains material provisions that do not appear in your ballot title,

and would likely give voters “serious ground for reflection,” and their absence from the ballot title could render it misleading by omission).

- Unclear enforcement and appeal provisions (text does not clearly indicate whether a governmental entity is prohibited from appealing a decision of the Commissioner of State Lands to circuit court, creating uncertainty regarding the scope of available judicial review).
- Constitutional concerns (without additional facts, it is unclear whether the proposed measure violates Act 154 of 2025, but a court could find that it does).
- Retroactivity (is the measure retroactive—altering the past legal consequences of a past action—as to previously entered governmental contracts that don’t fit under the text’s nonretroactivity clause?).
- Inconsistent provisions (voters only reading only the ballot title would not know that inconsistent rules or regulations are not expressly repealed by the text).

A copy of the Opinion can be found [here](#).