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SENATE JOINT RESOLUTION

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

DISCUSSION DRAFT

A JOINT RESOLUTION

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO BY ADDING A
NEW SECTION OF ARTICLE 2 THAT PROVIDES THE PEOPLE OF THE STATE
WITH ENVIRONMENTAL RIGHTS, INCLUDING THE RIGHT TO CLEAN AND
HEALTHY AIR, WATER, SOIL AND ENVIRONMENTS, A STABLE CLIMATE AND
SELF-SUSTAINING ECOSYSTEMS, AND DIRECTS THE STATE, COUNTIES AND
MUNICIPALITIES TO SERVE AS TRUSTEES OF THE NATURAL RESOURCES OF
NEW MEXICO FOR THE BENEFIT OF ALL THE PEOPLE AND BY REPEALING
THE CURRENT POLLUTION CONTROL PROVISIONS OF ARTICLE 20, SECTION
21.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. It is proposed to amend Article 2 of the
constitution of New Mexico by adding a new section to read:

"A. The people of the state shall be entitled to
clean and healthy air, water, soil and environments; a stable

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 climate; and self-sustaining ecosystems, for the benefit of
2 public health, safety and general welfare. The state shall
3 protect these rights equitably for all people regardless of
4 race, ethnicity, tribal membership status, gender,
5 socioeconomic status or geography.

6 B. The state, counties and municipalities shall
7 serve as trustees of the natural resources of New Mexico and
8 shall conserve, protect and maintain these resources for the
9 benefit of all the people, including present and future
10 generations.

11 C. The provisions of this section are self-
12 executing. Monetary damages shall not be awarded for a
13 violation of this section. This section is enforceable against
14 the state, counties and municipalities."

15 SECTION 2. It is proposed to amend Article 20 of the
16 constitution of New Mexico by repealing Section 21.

17 SECTION 3. The amendment proposed by this resolution
18 shall be submitted to the people for their approval or
19 rejection at the next general election or at any special
20 election prior to that date that may be called for that
21 purpose.