

HOUSE JOINT RESOLUTION

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

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.

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 climate; and self-sustaining ecosystems, for the benefit of public health, safety and general welfare. The state shall

.226729.1

underscored material = new
~~bracketed material~~ = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

1 protect these rights equitably for all people regardless of
2 race, ethnicity, tribal membership status, gender,
3 socioeconomics or geography.

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

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

13 SECTION 2. The amendment proposed by this resolution
14 shall be submitted to the people for their approval or
15 rejection at the next general election or at any special
16 election prior to that date that may be called for that
17 purpose.