

1 SENATE JOINT RESOLUTION 3

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO BY ADDING A  
12 NEW SECTION OF ARTICLE 2 THAT PROVIDES THE PEOPLE OF THE STATE  
13 WITH ENVIRONMENTAL RIGHTS, INCLUDING THE RIGHT TO A CLEAN AND  
14 HEALTHY ENVIRONMENT AND THE RIGHT TO THE PRESERVATION OF THE  
15 ENVIRONMENT, AND DIRECTS THE STATE TO PROTECT ENVIRONMENTAL  
16 RESOURCES FOR THE BENEFIT OF ALL THE PEOPLE AND BY REPEALING  
17 THE CURRENT POLLUTION CONTROL PROVISIONS OF ARTICLE 20, SECTION  
18 21.

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

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

23 "A. The people of the state, including future  
24 generations, have the right to a clean and healthy environment,  
25 including pure water, clean air, healthy ecosystems and a

.218167.3

underscored material = new  
[bracketed material] = delete

1 stable climate, and to the preservation of the natural,  
2 cultural, scenic and healthful qualities of the environment.

3 B. The state, including each branch, agency and  
4 political subdivision, shall serve as trustee of the natural  
5 resources of the state, among them its waters, air, flora,  
6 fauna, climate and public lands. The state shall conserve,  
7 protect and maintain these resources for the benefit of all the  
8 people, including generations yet to come.

9 C. The rights stated in this section are inherent,  
10 inalienable and indefeasible, are among those rights reserved  
11 to all the people and are on par with other protected  
12 inalienable rights. The provisions of this section are self-  
13 executing."

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

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