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SENATE JOINT RESOLUTION

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Antoinette Sedillo Lopez and Joanne J. Ferrary

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 A CLEAN AND
HEALTHY ENVIRONMENT AND THE RIGHT TO PROTECTION OF THE
ENVIRONMENT, AND DIRECTS THE STATE TO SERVE AS TRUSTEE OF THE
NATURAL RESOURCES OF NEW MEXICO FOR THE BENEFIT OF ALL NEW
MEXICANS 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 have the natural,
inherent and inalienable right to a clean and healthy
environment, including water, air, soil, flora, fauna,

1 ecosystems and climate, and to the protection of the natural,
2 cultural, scenic and healthful qualities of the environment.

3 B. The protection of the state's environment is
4 hereby declared to be of fundamental importance to health,
5 safety and the public interest.

6 C. The state, including its political subdivisions,
7 shall serve as trustee of the natural resources of New Mexico
8 and shall conserve, protect and maintain these resources for
9 the benefit of all New Mexicans, including present and future
10 generations.

11 D. The provisions of this section are self-
12 executing. Monetary damages shall not be awarded for a
13 violation of this section."

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.