

HOUSE ENERGY, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE  
SUBSTITUTE FOR  
HOUSE JOINT RESOLUTION 2

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

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 ENVIRONMENT, AND DIRECTS THE STATE  
TO SERVE AS TRUSTEE 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 environment; a stable  
climate; and self-sustaining ecosystems, for the benefit of  
public health, safety and general welfare. The state,

.222462.2

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

1 including its political subdivisions, shall serve as trustee of  
2 these resources and shall conserve, protect and maintain them  
3 for the benefit of all the people, including present and future  
4 generations.

5 B. The provisions of this section are self-  
6 executing. Monetary damages shall not be awarded for a  
7 violation of this section."

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

10 SECTION 3. The amendment proposed by this resolution  
11 shall be submitted to the people for their approval or  
12 rejection at the next general election or at any special  
13 election prior to that date that may be called for that  
14 purpose.