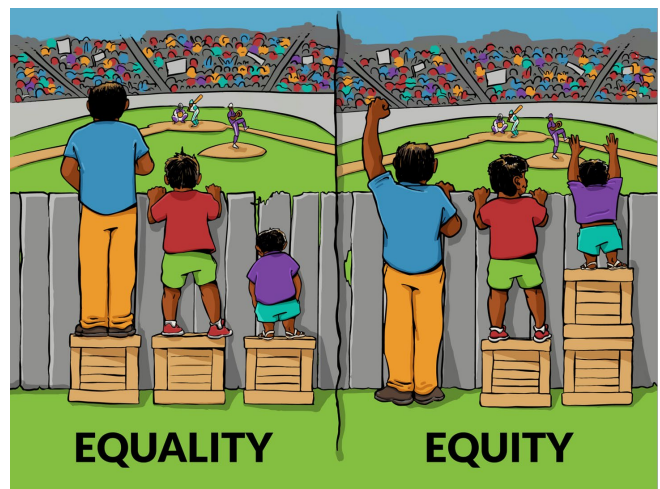




## How Will The New Mexico Green Amendment Make Lives Better by Enhancing Environmental Protection and Environmental Justice?

- ✓ While New Mexico has many laws, it still has many environmental problems with people drinking polluted water, breathing contaminated air, being forced to live next to dangerously contaminated sites. Environments important to our cultures, cultural values, businesses and quality lives are being unacceptably damaged. The New Mexico Green Amendment will ensure that when our environmental laws fall short and fail to protect our environment equitably for all people, that the constitution can be used by people and government to address the problem and protect people’s lives.
- ✓ Equitable means that the rights of all New Mexicans are protected, by recognizing that different communities experience and/or live in different circumstances, that some have suffered from greater pollution and environmental harms, and as a result these communities need and deserve greater efforts to ensure they can enjoy their rights to healthy water, air, soil and environments.
- ✓ New Mexico’s government is created by the people of New Mexico through our state constitution. The constitution puts in place the rules which government must follow. Among those rules is that our state government is created solely for the good of the people (article II section 2)
- ✓ The constitution’s Bill of Rights also lists the basic human, civil and political rights the state may not violate and must protect, such as the right to free speech and to be free from unreasonable searches



of our homes. The New Mexico Green Amendment will add our rights to a healthy environmental to these basic freedoms.

- ✓ The New Mexico Green Amendment creates an obligation on our state, county and municipal governments to recognize the right of all people to clean and healthy air, water, soils, environment and a climate supportive of safe and healthy communities and lives. The amendment as written will ensure government officials do not take actions that will infringe on those rights.
- ✓ With a New Mexico Green Amendment, Government officials **must** protect the environmental rights of the people because, very simply, they cannot violate the constitution. So if the constitution says the people have a constitutional right to a clean, safe and healthy environment, then the government is legally obligated to protect those rights.
- ✓ The New Mexico Green Amendment strengthens environmental justice by very clearly stating that government must protect the environmental rights of all people, regardless of their race, ethnicity, tribal membership status, income level, gender, or where they live in the state.
- ✓ If a community of color, indigenous community, rural or low income community is repeatedly impacted by dangerous levels of pollution at much higher levels threatening their health and lives, whether or not the operations are legal, the New Mexico Green Amendment will require protection of the environmental rights of **ALL** people, so historically marginalized communities are no longer targeted for greater pollution and environmental harms.
- ✓ By very clearly stating that government must protect our state's natural resources for both present and future generations, the New Mexico Green Amendment is requiring all government officials to ensure the environment is protected for all New Mexicans, including our future generations.
- ✓ Because the people of New Mexico are the beneficiaries (meaning the ones legally entitled to get the benefits) of our state's healthy natural resources, our government can not help industry harm our environment to make more profits if it means destroying the environmental rights of our people.
- ✓ The New Mexico Green Amendment cannot support a lawsuit brought directly against a private individual or company because the constitution's Bill of Rights are in place to guide government actions, including making sure they do not allow private companies or industries to harm the rights of the people. For example, if a company or industry is causing so much pollution or environmental harm that a community's constitutional rights to clean water and air, or healthy environments are being undermined, the New Mexico Green Amendment can be used to challenge the government action that allowed that harm to take place - for example a permit that grants government permission to pollute at unconstitutional levels.
- ✓ The New Mexico Green Amendment can help prevent new environmental harms from new industry or development projects, but it can also be used to secure protection from ongoing pollution by identifying the government action happening today that is allowing unconstitutional harm to continue.
- ✓ The New Mexico Green Amendment is intended to protect the health and safety of people and to ensure that government takes all steps necessary to ensure businesses – from residential development, to mining, to oil and gas – operate in a way protective of our environment and communities, and our constitutional environmental rights.
- ✓ With the addition of the NM Green Amendment, people now have a right to advocate for their environmental rights on constitutional grounds – no longer are we just fighting for the Earth and People we love, but now we are also fighting for a constitutional right that we are legally entitled to.