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New Mexico Senate Rules Committee Votes to Pass a Green Amendment

The Constitutional Amendment will Secure the Right to Clean Air and Water and a Healthy Environment

Santa Fe, NM - Today, the New Mexico Senate Rules Committee voted 7-4 in favor of an updated version of [SJR03](#) Environmental Rights Constitutional Amendment or a Green Amendment, which would amend the New Mexico State Constitution to equitably protect the environmental rights of all New Mexicans regardless of race, ethnicity, religion or income. The proposed amendment would add the following to Article 2 of the State Constitution: *“The people of the state have the natural, inherent and inalienable right to a clean and healthy environment, including water, air, soil, flora, fauna, ecosystems, and climate, and to the protection of the natural, cultural, scenic and healthful qualities of the environment.”*

Sponsored by Sen. Antoinette Sedillo Lopez, Sen. Bill Soules, Sen. Harold Pope, Jr., and Rep. Joanne Ferrary, the amendment will now go before the Senate Judiciary Committee before moving on to the House. If passed in all committees, the amendment will be placed on the ballot for New Mexico voters in the 2022 General Election or any special election that may be scheduled.

The new language would repeal Article XX Section 21, which environmental leaders believe has failed to provide the enforceable protections its original supporters had intended. The Green Amendment provision would ensure environmental rights are protected for present and future generations and designate the and all political subdivisions as trustee of the state’s natural resources, constitutionally obligated to “conserve, protect, and maintain” them.

“I applaud today’s New Mexico Senate Rules Committee (SRC) vote to move forward Senate Joint Resolution 3 (SJR3) or the New Mexico Green Amendment. The SRC’s responsible insight and visionary look to the future care of New Mexico’s pristine landscape, New Mexico’s health and environmental responsibility was a step to New Mexicans having a chance to vote on the Constitutional right to clean air, land, and clean Sacred water. Vote “Yes” on SJR3,” **said Terry A. Sloan**, Director of Southwest Native Cultures and Green Amendments for the Generations Board member.

"This is a tremendous day for the New Mexican environment and for its residents. If passed by voters, SJR 3 will enshrine in the NM State Constitution, our rights to clean air, pure water, unsoiled land, and a more stable environment. It will afford New Mexico an invaluable tool to protect themselves from polluters and force state agencies to protect them. This is a critical piece of legislation that is among the most important of Retake Our Democracy's 20 Transformational bills," said **Paul Gibson & Roxanne Barber**, co-founders of Retake Our Democracy.

"New Mexico is on the leading edge of the national movement to recognize environmental rights as fundamental, inalienable rights deserving the same highest protection that is currently given to speech, religious, civil and property rights. We thank the sponsors of SJR3 for seeing the vision of this transformative path to environmental protection," said **Maya van Rossum**, author of the book *The Green Amendment* and founder of the organization [Green Amendments For The Generations](#) seeking to advance constitutional environmental rights nationally. van Rossum was also a lead plaintiff in the Pennsylvania case that secured constitutional environmental rights for the people of that state.

"Today New Mexico took a giant step forward in guaranteeing the right of all New Mexicans to a livable future," said **Kevin Bixby**, Executive Director of the Southwest Environmental Center. "The right to a healthy environment is paramount. Without a planet to live on, all other rights are irrelevant."

"The Environmental Rights Amendment, known as the Green Amendment, establishes a trust framework in which public natural resources (e.g. air, water, fish, and wildlife, among other resources) are the trust and the common property of all New Mexicans, including future generations. Our government is set as the trustee and must conserve and maintain those resources for the benefit of all people. That means that the government must prevent and remedy degradation, diminution or depletion and has an actual duty of care. Passage of the Green Amendment is critical to protect the home we love," said **Mariel Nanasi**, Executive Director, New Energy Economy.

"Today New Mexico has begun the process of ratifying the inherent, and often violated, environmental rights of marginalized communities, and future generations. This is a victory in the struggle against environmental racism and the climate crisis" said **Artemisio Romero Y Carver**, Steering Committee Member, Youth United For Climate Crisis Action (YUCCA).

Montana and Pennsylvania currently protect environmental rights as an inalienable right in the Bill of Rights section of the state Constitution. But the Green Amendments For The Generations movement is gaining traction and has inspired Green Amendment proposals in 10 states.

"Our current system of environmental laws and government, in New Mexico and nationwide, focuses on permitting pollution rather than preventing it. By contrast, constitutional Green Amendments ensure government officials are making informed decisions focused on protecting environmental rights from the beginning of the decision-making process when protection is best accomplished. Green Amendments are also powerful for advancing environmental justice protections by ensuring government officials are protecting the environmental rights of all people and are constitutionally prohibited from creating environmental sacrifice zones," added van Rossum.

To learn more about the New Mexico Green Amendment movement, visit www.NMGreenAmendment.org.

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