

House Joint Resolution 12 - Introduced

HOUSE JOINT RESOLUTION 12
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HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the right of the people to a
3 clean environment.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Article 1 of the Constitution of the State of Iowa is amended
4 by adding the following new section:

5 Sec. 1B. **Right to clean environment.** Every person has
6 the right to a clean and healthy environment, including pure
7 water, clean air, ecologically healthy habitats, and the
8 preservation of the natural, scenic, historic, and aesthetic
9 qualities of the environment. The state shall not infringe
10 upon these rights by action or inaction. The state's public
11 natural resources, including its soils, waters, air, flora,
12 fauna, climate, and public lands, are the common property of
13 the people, including both present and future generations. As
14 trustee of these resources, the state shall conserve, maintain,
15 and restore these resources for the health and benefit of all
16 the people. This section and the rights stated herein are
17 self-executing and shall be in addition to any rights conferred
18 by the public trust doctrine or common law.

19 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
20 amendment to the Constitution of the State of Iowa is referred
21 to the general assembly to be chosen at the next general
22 election for members of the general assembly, and shall be
23 published as provided by law for three months previous to the
24 date of that election.

25

EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This joint resolution proposes an amendment to the
29 Constitution of the State of Iowa providing that every person
30 has a right to a clean and healthy environment, including
31 pure water, clean air, ecologically healthy habitats, and the
32 preservation of the natural, scenic, historic, and aesthetic
33 qualities of the environment. The state shall not infringe
34 upon these rights by action or inaction. The proposed
35 amendment declares that the state's public natural resources

1 are the common property of the people, including both present
2 and future generations, and that the state, as trustee, shall
3 conserve, maintain, and restore these resources for the health
4 and benefit of all the people. The proposed amendment and
5 the rights stated therein are self-executing and shall be in
6 addition to any rights conferred by the public trust doctrine
7 or common law.

8 The resolution, if adopted, would be published and then
9 referred to the next general assembly (90th) for adoption a
10 second time, before being submitted to the electorate for
11 ratification.