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

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

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

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

EXPLANATION

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

This joint resolution proposes an amendment to the Constitution of the State of Iowa providing that every person has a right to a clean and healthy environment, including pure water, clean air, ecologically healthy habitats, and the preservation of the natural, scenic, historic, and aesthetic qualities of the environment. The state shall not infringe upon these rights by action or inaction. The proposed amendment declares that the state's public natural resources...
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are the common property of the people, including both present and future generations, and that the state, as trustee, shall conserve, maintain, and restore these resources for the health and benefit of all the people. The proposed amendment and the rights stated therein are self-executing and shall be in addition to any rights conferred by the public trust doctrine or common law.

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