



## **For Immediate Release**

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## **New Mexico's Green Amendment Prefiled for 2025**

### ***Lead Legislators Believe This Could Be A Pivotal Year For The Constitutional Right***

**Santa Fe, NM:** Tuesday, January 7, 2025, legislators announced they had pre-filed the New Mexico Constitutional Green Amendment. Representative Joanne Ferrary, Senator Harold Pope, Jr., Senator Shannon Pinto, Representative Patricia Roybal Caballero, newly-elected Representative Joseph Hernandez, Senator Antoinette Sedillo Lopez, and Representative Tara Lujan gathered in a zoom meeting to announce the filing of the new language, to discuss why they are prioritizing the New Mexico Green Amendment, and to share why they believe New Mexico legislators and community members need to join forces for passage in 2025.

**Representative Joanne Ferrary** observes, "A healthy environment is prized by all facets of New Mexico's communities and cultures. And yet, while some parts of New Mexico enjoy highest quality water, air and soils, others are left to suffer the health and economic ravages of toxic soils, polluted water, contaminated air, and declining ecosystems. With this amendment, we will ensure that environmental protection is a priority and benefit for all communities here in New Mexico."

**Senator Harold Pope Jr.** explains, "We need the Green Amendment in order to secure every New Mexican's right to clean air, pure water, and healthy ecosystems. It will empower

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communities to protect their environment and ensure justice and essential environmental protections for future generations."

**Senator Shannon Pinto** adds: "The amendment, with its statewide coverage, will ensure we are providing essential protection to all parts of our community, including the places where children go to school, where people work and recreate, and to all of our public shared spaces."

**Senator Carrie Hamblen** explains: "We are at a pivotal moment for environmental protection and justice in our State. We can see that our current laws are not properly protecting our State's water, air and natural resources which are essential for the health, safety and economy of our state. I believe this resolution will help us provide critical and missing protections."

"For five years, the constituents of New Mexico have sent a resounding message to lawmakers that they want their right to a healthy environment enshrined within our Constitution. This makes pollutive industries very upset because they have been abusing loopholes in our State law and spending outrageous amounts of money funding 'fossil fuel' candidates to make sure New Mexico remains exposed to extractive industries— regardless of harm caused to the people of our state. We need a Green Amendment to remedy this injustice. So long as we lack the necessary guardrails, like the Green Amendment, habitants of our State remain at risk and we will continue seeing healthy declines of our children, wildfires rage, flash floods inundate rural areas, and see the overall decline of otherwise healthy communities. Our right to clean air, soil, and environment should be a Constitutional right and protected above profits for the few elite. We will not give up the fight for Justice until a Green Amendment is passed to protect our children and future generations!" **Patricia Roybal Caballero, State Representative, House District 13.**

**Senator Antoinette Sedillo Lopez** offers: "New Mexico is recognized for our beautiful and healthy environments – people come from all over the world to enjoy the beauty of New Mexico. The economic, health and quality of life benefits that result for New Mexico communities and businesses are incalculable. We must ensure constitutional protection so that we may protect the health and welfare of our people and address the places where we have fallen short by allowing some of our communities to suffer from devastating levels of pollution and degradation. Especially when our environment is at risk due to potential federal changes, this is a smart step and investment for all of New Mexico."

**Representative Joseph Hernandez** adds: "The Green Amendment will help ensure that our future generations and the environment are protected while helping us diversify our economy and dependency from fossil fuels."

**Representative Tara Lujan** adds: “The Green Amendment will be a tool that can help ensure that our government prioritizes environmental protection in decision-making and that we continue to prioritize these protections for future generations.”

“While we have seen many states use existing constitutional language to strengthen climate protection, if New Mexico were to pass its proposed Green Amendment, it would become the first state in the nation to explicitly protect a safe climate as an irrevocable fundamental right at the constitutional level,” said **Maya van Rossum, author of the book, *The Green Amendment* and founder of the organization [Green Amendments For The Generations](#)** who is seeking to advance constitutional environmental rights in states across the U.S. and nationally. van Rossum was also a lead plaintiff in the Pennsylvania case that secured constitutional environmental rights for the people of that state. “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,” added van Rossum.

The proposed New Mexico Green Amendment pre-filed for 2025 reads:

*SECTION 1. It is proposed to amend Article 2 of the constitution of New Mexico by adding a new:*

- A. The people of the state shall have a right to clean and healthy air, water, soil and environments; healthy native flora, fauna and ecosystems, and a safe climate; and to the preservation of the natural, cultural, scenic and healthful qualities of the environment. The state shall protect these rights equitably for all people regardless of race, ethnicity, tribal affiliation, gender, socioeconomics, or geography.*
- B. The state, counties and municipalities shall serve as trustee of the natural resources of New Mexico and shall conserve, protect and maintain these resources for the benefit of all the people, including present and future generations.*
- C. The provisions of this section are self-executing. Monetary damages shall not be awarded for a violation of this section. This section is enforceable against the state, counties and municipalities.*

Constitutional Green Amendments currently exist in three states -- Pennsylvania, Montana, and most recently New York. In addition, Green Amendments have been proposed in 19 other states. Montana’s Green Amendment was the basis of the recent climate legal victory secured in *Held v. Montana*.

The New Mexico Green Amendment was first proposed in 2021. To secure passage of a constitutional amendment, the proposed language must be passed by majority vote in each state legislative house, and then secure a majority vote of the citizens of New Mexico.

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