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Contacts:

Maya van Rossum, Founder, Green Amendments For The Generations, (215) 801-3043,

maya@ForTheGenerations.org

AZ State Senator Lauren Kuby, 602-926-5764, LKuby@azleg.gov

Arizona Senator Proposes a Constitutional Amendment To Protect the Right to Clean & Healthy Water, Air, Environment

Phoenix, AZ: February 11, Arizona State Senator Lauren Kuby spotlighted her newest proposal to amend the Arizona state constitution with a new Bill of Rights provision that would recognize, as a constitutional right, the right of the people of the Arizona to clean water and air, and a healthy environment.

Senator [Lauren Kuby](#) is joined by 12 colleagues who are cosponsoring the proposal, including Senators [Lela Alston](#), [Denise “Mitzi” Epstein](#), [Rosanna Gabaldón](#), [Theresa Hatathlie](#), [Catherine Miranda](#), [Analise Ortiz](#), [Priya Sundareshan](#), and Representatives [Brian Garcia](#), [Nancy Gutierrez](#), [Aaron Márquez](#), [Mariana Sandoval](#), [Stephanie Stahl Hamilton](#).

“A healthy environment is important for protecting the health and safety of the people of Arizona, as well as supporting a vibrant state economy,” **says Senator [Lauren Kuby](#)**. Senator Kuby 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 amendment will help us provide critical and missing protections. As written, the amendment will ensure we are protecting our environment for all Arizona communities, while at the same time ensuring it is protected for future generations. In sum, this amendment will ensure essential and basic environmental protection to every family and community in Arizona, including the places where children go to school, where people work and recreate, and to all of our public shared spaces,” added Senator Kuby.

“Arizona is part of a national movement to recognize environmental rights as fundamental inalienable rights deserving the same highest protection that is currently given to speech, religious freedom, and property

GREEN AMENDMENTS FOR THE GENERATIONS

925 Canal Street, Suite 3701 \ Bristol, PA 19007 \ Office: (267) 428-3425

gaftg@ForTheGenerations.org \ www.GreenAmendment.org

rights,” explained Maya van Rossum, author of the book, *The Green Amendment* and founder of the [Green Amendments For The Generations](#) organization and movement. “The bi-partisan support we see for this kind of constitutional protection across communities, demonstrates that Arizona’s proposal to protect basic environmental rights is not about partisan politics or targeting any one industry, it is about protecting people and ensuring we all are able to access the healthy water, air and environments we need to thrive, and that supports the joyful lives we all are looking for,” adds van Rossum.

The proposed Arizona Green Amendment, filed as [SCR1017](#), would be added to the state constitution’s Bill of Rights and would read:

Right to clean and healthy environment

- A. Each person has an inherent and inalienable right to a clean and healthy environment, including all of the following:
 - 1. Clean water.
 - 2. Clean air.
 - 3. Healthy ecosystems.
 - 4. A safe climate.
 - 5. The preservation of the natural, cultural and healthful qualities of the environment.
- B. The rights prescribed in subsection A of this section belong to both present and future generations. This state and each political subdivision of this state shall protect and may not infringe on these rights.
- C. This state’s natural resources, including its waters, air, flora, fauna, and climate, are the common property of all the people, including present and future generations. This state and each political subdivision of this state shall do all of the following:
 - 1. Serve as trustees of the natural resources.
 - 2. Conserve, protect and maintain the natural resources for the benefit of all the people.
 - 3. Secure a safe and stable climate system for all people including future generations.
 - 4. Make it a high priority to secure a safe climate system and provide clean, renewable and safe energy for all communities. This priority and any action commenced to further this priority is a compelling state interest.
- D. This section and the rights and obligations prescribed in this section are self-executing.

Constitutional Green Amendments of this kind and quality currently exist in three states—Pennsylvania, Montana, and New York—where they have been used to secure clean drinking water, address air pollution, protect natural open space in remote as well as built areas, address climate pollution, and secure needed cleanup of toxic contamination. In addition, Green Amendments have been [proposed in over 20 other states](#).

To secure passage of a constitutional amendment in Arizona, the proposed language must be passed by majority vote in each legislative house and then secure a majority vote in a statewide election Arizona.

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