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New York State Senate Votes to Pass a Green Amendment

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

Albany, NY - Today, the New York State Senate voted 48-14 to add a Green Amendment, or an “environmental rights amendment”, to the New York State Constitution to protect the environmental rights of all New Yorkers regardless of race, ethnicity, religion or income ([S.528](#)). The amendment would add the following to Article 1 of the State Constitution: “*Each person shall have a right to clean air and water, and a healthful environment.*”

The bill, which received [first passage](#) from both houses of the Legislature in 2019, has now passed in the Senate for a second time, and must also pass in the Assembly this year in order to go before New York voters in November. If passed, a Green Amendment would require legislators to treat all communities equitably and consider environmental impacts as part of the decision-making process, from beginning to end; and give those who are threatened by environmental hazards immediate access to the courts if they fail to do so.

New York is poised to become the first state to pass a modern day Green Amendment. Only Montana and Pennsylvania currently protect environmental rights as an inalienable right in the Bill of Rights section of the state Constitution. However, due to the work of Maya van Rossum, the Delaware Riverkeeper and founder of the nonprofit organization Green Amendments For The Generations, New Mexico, New Jersey, Maryland, Vermont, and West Virginia are all currently advancing Green Amendment proposals, with Oregon, Washington and Maine expected to propose similar amendments by the end of the year. Green Amendments For The Generations is the leading and only national organization seeking to advance environmental rights in every state constitution across our nation and ultimately at the federal level.

“New York is on the forefront 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,” said **Maya van Rossum, the Delaware Riverkeeper 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. “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. Today's vote was an important step towards the future of environmental protection," added van Rossum.

Peter M. Iwanowicz, executive director of Environmental Advocates NY said, "Every New Yorker—regardless of the color of their skin, where they live, or how much money they have—has the right to clean air and clean water. That this basic truth does not appear in our Constitution is an omission we correct this year. We applaud the Senate for passing this ground-breaking legislation in the first days of session and look forward to the Assembly's action and the opportunity for New Yorkers to vote this into the Constitution this November."

"We thank the Senate for taking the lead to protect and respect the right to clean air and water for all people equally," said **Michael Barrett, Executive Director of the Adirondack Mountain Club**. "The Green Amendment ensures that environmental impacts will be considered early in the process of government decision-making when prevention of pollution, degradation, and harm is most possible."

To learn more about the New York Green Amendment movement, visit www.NYGreenAmendment.org.

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