

1 HOUSE CONCURRENT RESOLUTION NO. 9
2 BY BURNETT, DOTZLER, SCHERRMAN, WHITEAD, KINZER,
3 MASCHER, FALLON, WITT, BERNAU, MORELAND, and SCHRADER
4 A Concurrent Resolution requesting that the Congress
5 of the United States propose a constitutional
6 amendment, for ratification by the states, which
7 would specify that the people of the United States
8 have a right to a clean and healthful environment.
9 WHEREAS, the triumph of freedom and justice
10 embodied in the Constitution of the United States of
11 America gives contemporary and future generations a
12 structure for ordered liberty that has served this
13 nation well; and
14 WHEREAS, historic decisions, augmented from time to
15 time by amendment, give the people a constitution
16 which permits each generation to overcome the great
17 social disturbances of its time; and
18 WHEREAS, the protection of the rights of speech and
19 assembly against overbearing government, the
20 liberation of enslaved Americans, the right of women
21 to vote, the restraints on the power of concentrated
22 wealth, the intelligent use of government to protect
23 the economic interests of all, and the use of national
24 military power here and abroad, have all been achieved
25 through this constitutional framework; and
26 WHEREAS, the American people have well understood
27 their Constitution and the values and powers it
28 embodies; and
29 WHEREAS, the goals of our generation and our hope
30 for future generations continue to be liberty,

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1 justice, and physical and material security; and

2 WHEREAS, a constitution which protects our personal
3 security is the heart of the American system; and

4 WHEREAS, the Constitution seeks to ensure that each
5 person is free of the threat of attack and free of
6 actions by others that diminish life, liberty, health,
7 or property or that prevent the pursuit of happiness;
8 and

9 WHEREAS, the people of the United States of America
10 are increasingly besieged by attacks on their personal
11 security, their health, the health of their families,
12 and their right to enjoy the air, water, and natural
13 resources of the nation; and

14 WHEREAS, the continuing and growing threat to the
15 public health and the nation's natural resources is a
16 challenge to our generation of the kind other
17 generations faced and overcame; and

18 WHEREAS, the people are the custodians of the
19 health of their children, of future generations, whose
20 ability to breathe clean air, drink healthful water,
21 avoid poisons, and share in the spiritual regeneration
22 that comes from wilderness and nature is in danger;
23 and

24 WHEREAS, the people are obliged to protect each
25 citizen from these threats as surely as were previous
26 generations obliged to enhance freedom, justice, and
27 prosperity; and

28 WHEREAS, a constitutional remedy is necessary to
29 accomplish this goal; and

30 WHEREAS, the decision to seek a constitutional

1 remedy is significant and necessary; and

2 WHEREAS, the people have historically been
3 reluctant to amend the Constitution except for the
4 most compelling reasons; and

5 WHEREAS, although the Iowa General Assembly shares
6 that view, the commitment to the public health and
7 environmental security of our citizens and of future
8 generations is so important and so deeply a part of
9 American tradition and values that it requires
10 constitutional status; and

11 WHEREAS, the people can no more rely on statutory
12 protections for the environment and public health than
13 the nation of 130 years ago could rely on statutes
14 alone for the liberation of enslaved Americans, or
15 than the nation of 80 years ago could rely on statutes
16 alone declared the right of women's suffrage to be a
17 constitutional right; NOW THEREFORE,

18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
19 SENATE CONCURRING, That the General Assembly of the
20 State of Iowa respectfully requests the Congress of
21 the United States to submit to the several states
22 comprising the United States the following amendment
23 to the Constitution of the United States:

24 "The natural resources of the nation are the
25 heritage of present and future generations. The right
26 of each person to clean and healthful air and water,
27 and to the protection of the other natural resources
28 of the nation, shall not be infringed upon by any
29 person."

30 BE IT FURTHER RESOLVED, That the General Assembly

1 of the State of Iowa also proposes that the
2 legislatures of each of the several states comprising
3 the United States apply to the Congress of the United
4 States requesting the enactment of the above amendment
5 to the Constitution; and

6 BE IT FURTHER RESOLVED, That copies of this
7 resolution be sent to the secretaries of state and
8 presiding officers of each house of the legislatures
9 of each of the other states in the Union, the Speaker
10 of the United States House of Representatives, the
11 President of the United States Senate, and all of the
12 members of Iowa's congressional delegation.

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