

**House Joint Resolution 2007 - Introduced**

HOUSE JOINT RESOLUTION 2007  
BY LEVIN, SCHOLTEN, MADISON,  
BAGNIEWSKI, and KURTH

**HOUSE JOINT RESOLUTION**

1 A Joint Resolution proposing an amendment to the Constitution of  
2 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:

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1 Section 1. SHORT TITLE. This proposed amendment to the  
2 Constitution of the State of Iowa shall be known as the "Aldo  
3 Leopold Amendment".

4 Sec. 2. The following amendment to the Constitution of the  
5 State of Iowa is proposed:

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

8 Sec. 1B. **Right to clean environment.** Every person has a  
9 fundamental right to access clean water and clean air, and the  
10 enjoyment of the same, free from harms caused by contaminants and  
11 pollutants, including disease, injury, and other hazards. The  
12 state shall not infringe upon this right. As a trustee of public  
13 natural resources, the state shall conserve and restore all  
14 public waters, including aquifers and groundwater, and the air  
15 for the health and benefit, under this right, of this generation  
16 and all future generations. This section and the right stated  
17 herein are self-executing. Any and all infringements upon this  
18 right shall be subject to strict scrutiny.

19 Sec. 3. REFERRAL AND PUBLICATION. The foregoing proposed  
20 amendment to the Constitution of the State of Iowa is referred  
21 to the general assembly to be chosen at the next general election  
22 for members of the general assembly, and shall be published as  
23 provided by law for three months previous to the date of that  
24 election.

25 EXPLANATION

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

28 This joint resolution proposes an amendment to the  
29 Constitution of the State of Iowa providing that every person has  
30 a fundamental right to a clean and healthy environment, including  
31 access to and enjoyment of air and water free from hazards  
32 to human health including harmful contaminants and pollutants.  
33 The state shall not infringe upon these rights. The proposed  
34 amendment declares that the state, as trustee of its public  
35 natural resources, shall conserve and restore all public water

1 and air for the benefit of both this and future generations of  
2 people. The proposed amendment and the right stated therein are  
3 self-executing, and are therefore effective upon ratification.  
4 The proposed amendment states that any and all infringements upon  
5 these rights shall be subject to strict scrutiny, the highest  
6 level of judicial review.

7 The proposed amendment shall be known as the "Aldo Leopold  
8 Amendment".

9 The resolution, if adopted, would be published and then  
10 referred to the next general assembly (92nd) for adoption  
11 a second time, before being submitted to the electorate for  
12 ratification.

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