

## House Joint Resolution 3 - Introduced

HOUSE JOINT RESOLUTION 3  
BY LEVIN, KURTH,  
GOSA, WESSEL-KROESCHELL,  
R. JOHNSON, MCBURNEY,  
WICHTENDAHL, B. MEYER, and  
WILBURN

### 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. The following amendment to the Constitution of the  
2 State of Iowa is proposed:

3 Article 1 of the Constitution of the State of Iowa is amended  
4 by adding the following new section:

5 Sec. 1B. **Right to clean environment.** Every person has the  
6 right to a clean and healthy environment, including pure water,  
7 clean air, a stable climate, ecologically healthy habitats,  
8 and the preservation of the natural and human health qualities  
9 of the environment. The state shall not infringe upon these  
10 rights. The state's public natural resources, including its  
11 soils, waters, air, flora, fauna, climate, and public lands, are  
12 the common property of the people, including both present and  
13 future generations. As trustee of these resources, the state  
14 shall conserve, maintain, and restore these resources for the  
15 health and benefit of all the people. This section and the  
16 rights stated herein are self-executing and shall be in addition  
17 to any rights conferred by the public trust doctrine or common  
18 law. Any and all infringements upon these rights shall be  
19 subject to strict scrutiny.

20 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed  
21 amendment to the Constitution of the State of Iowa is referred  
22 to the general assembly to be chosen at the next general election  
23 for members of the general assembly, and shall be published as  
24 provided by law for three months previous to the date of that  
25 election.

26 EXPLANATION

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

29 This joint resolution proposes an amendment to the  
30 Constitution of the State of Iowa providing that every person has  
31 a right to a clean and healthy environment, including pure water,  
32 clean air, a stable climate, ecologically healthy habitats, and  
33 the preservation of the natural and human health qualities of the  
34 environment. The state shall not infringe upon these rights.  
35 The proposed amendment declares that the state's public natural

1 resources are the common property of the people, including both  
2 present and future generations, and that the state, as trustee,  
3 shall conserve, maintain, and restore these resources for the  
4 health and benefit of all the people. The proposed amendment  
5 and the rights stated therein are self-executing and shall be in  
6 addition to any rights conferred by the public trust doctrine  
7 or common law. The proposed amendment states that any and  
8 all infringements upon these rights shall be subject to strict  
9 scrutiny.

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

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