



General Assembly

**Senate Joint
Resolution No. 5**

February Session, 2016

LCO No. 1016



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

**RESOLUTION PROPOSING AN AMENDMENT TO THE STATE
CONSTITUTION CONCERNING THE ENVIRONMENT AND NATURAL
RESOURCES OF THE STATE.**

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the
2 Constitution of the State, which, when approved and adopted in the
3 manner provided by the Constitution, shall, to all intents and
4 purposes, become a part thereof:

5 Article first of the Constitution is amended by adding section 21 as
6 follows:

7 (NEW) Sec. 21. Every citizen has the right to clean air, pure water,
8 freedom from excessive and unnecessary noise and the right to the
9 enjoyment and preservation of the natural, scenic historic and esthetic
10 qualities of the environment. The state's public natural resources are
11 the common property of all the citizens of the state, including
12 generations yet to come. As trustee of such resources, the state shall
13 conserve and maintain them for the benefit of all people. Any state
14 land or easement held for conservation purposes shall not be used for

15 other purposes or otherwise disposed of except by an act approved by
16 a two-thirds vote of the membership of the general assembly following
17 a public hearing on such act. Any funds realized by the state from the
18 disposal of any such conserved land or easement shall be used for the
19 acquisition of land or an easement that has an equivalent conservation
20 value to the disposed land or easement.

21 RESOLVED: That the foregoing proposed amendment to the
22 Constitution be continued to the next session of the General Assembly
23 elected at the general election to be held on November 8, 2016, and
24 published with the laws passed at the present session, or be presented
25 to the electors at the general election to be held on November 8, 2016,
26 whichever the case may be, according to article sixth of the
27 amendments to the Constitution. The designation of said proposed
28 amendment to be used on the ballots at such election shall be "Shall the
29 Constitution of the State be amended to: (1) Provide each citizen with
30 the right to clean air, pure water, freedom from excessive and
31 unnecessary noise and the right to the enjoyment and preservation of
32 the natural, scenic historic and esthetic qualities of the environment, (2)
33 require that any state land or easement held for conservation purposes
34 not be used for other purposes or otherwise disposed of except by an
35 act approved by a two-thirds vote of the membership of the General
36 Assembly following a public hearing on such act, and (3) dedicate any
37 funds realized by the state from the disposal of any such conserved
38 land or easement to the acquisition of land or an easement that has an
39 equivalent conservation value to the disposed land or easement?"