



GREEN AMENDMENTS
FOR THE GENERATIONS
Pure Water. Clean Air. Healthy Environment.



CONSTITUTIONAL POWER FOR ENVIRONMENTAL JUSTICE

The New Jersey Green Amendment

Green Amendments are self-executing provisions added to the Bill of Rights section of a constitution that recognize and protect the rights of all people, including future generations, to pure water, clean air, a stable climate, and healthy environments.

It's time for the NJ Constitution to End Environmental Racism! Here's how the proposed NJ Green Amendment gets us there. The proposed New Jersey Green Amendment will give highest constitutional protection for the rights of all people, regardless of race, ethnicity, socio-economic status or generation, to pure water, clean air, a stable climate and healthy environments. In summary, the New Jersey Green Amendment will:

- ✓ Ensure all communities – regardless of race, ethnicity or income – have the same rights to a clean and healthy environment, requiring government officials to protect all communities equitably No More Environmental Sacrifice Zones;
- ✓ Ensure consideration of existing environmental conditions and cumulative impacts as part of decisionmaking so the additive impact of new pollution/degradation on an already overburdened environmental justice community is a recognized and addressed part of government action – it will not be enough to just understand the information, government must act upon it;
- ✓ Empower environmental justice communities to address unconstitutional infringement on environmental rights such as clean water and air, by providing constitutional grounding for their advocacy and access to the courts for redress;
- ✓ Mandate government loyalty to environmental justice communities and the obligation to equitably protect their environmental rights;
- ✓ Ensure government decisions and action prioritize environmental protection and pollution prevention in order to ensure environmental rights are protected and to advance environmental justice;
- ✓ Fill the gaps in environmental laws and provide a legal basis for securing water, air and environmental protection in those situations where government says it legislatively or regulatorily lacks the authority to strengthen protections for environmental justice communities;
- ✓ Prohibit infringement on environmental rights of Black, Brown, Indigenous, Latino, Asian/Pacific Islander, Hispanic, immigrant or low income communities in order to protect the environmental interests of other communities, to serve the profit goals of industry, or to achieve political goals of government officials;
- ✓ Place environmental rights legally on par with other fundamental rights, including property rights which are so often used as an excuse to support unjust environmental decisionmaking;
- ✓ Require that environmental rights are protected by every government official at every level of government for both present and future generations.

NJ's Green Amendment (ACR80/SCR30)

(a) Every person has a right to a clean and healthy environment, including pure water, clean air, and ecologically healthy habitats, and to the preservation of the natural, scenic, historic, and esthetic qualities of the environment. The State shall not infringe upon these rights, by action or inaction.

(b) The State's public natural resources, among them its waters, air, flora, fauna, climate, and public lands, are the common property of all the people, including both present and future generations. The State shall serve as trustee of these resources, and shall conserve and maintain them for the benefit of all people.

(c) This paragraph and the rights stated herein are (1) self-executing, and (2) shall be in addition to any rights conferred by the public trust doctrine or common law.