



Support of the New York Environmental Rights Amendment 2021
Prepared by the Columbia County Democratic Committee's (CCDC) Issues Committee
Approved and Adopted by the CCDC on August 26, 2021

Talking Points:

- The Environmental Rights Amendment would add Section 19 to Article 1 of the New York State Constitution. If enacted, this Amendment would clarify that New York State's residents have a right to clean water, clean air, and a healthful environment.
- Voters will be asked to decide whether to amend the NYS Constitution with this proposed right by a referendum question on the November 2, 2021, ballot.
- Voting **YES** supports adding a **right** to clean water, clean air, and a healthful environment in the New York Constitution's Bill of Rights.
- Voting **NO** opposes adding a right to clean water, clean air, and a healthful environment to the New York Constitution's Bill of Rights.
- Currently, New York's Constitution requires the conservation of certain public lands by requiring the Legislature to protect and conserve natural resources. While these provisions impose an affirmative duty on the Legislature and state agencies to act on conservation matters, there is discretion on how to do so.
- According to the courts at present, **New Yorkers do not have an affirmative right to a clean environment**. Per the NYS Senate, “recent water contamination and ongoing concerns about air quality” serve as a basis for establishing a “fundamental right.”
- Supporters of the passage of this Amendment include organizations like the Environmental Advocates NY, the Adirondack Mountain Club, and labor leader Mario Cilento, president of the New York AFL-CIO.

The CCDC fully supports this Amendment and urges its adoption this November.

References:

- [https://ballotpedia.org/New_York_Environmental_Rights_Amendment_\(2021\)](https://ballotpedia.org/New_York_Environmental_Rights_Amendment_(2021))
- Environmental Amendment to NYS Constitution Will be on the Ballot in November, NY Law Journal, June 21, 2021