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Colorado Secretary of State

S.WARD 1:15 P.M.

2013-2014 #89 - AMENDED

VERSION #2

Be it eEnacted by the People of the State of Colorado:

SECTION 1. In ~~T~~the constitution of the state of Colorado, amend article II to add the following: ~~is amended BY THE ADDITION OF A NEW ARTICLE: ***~~

CONSERVATION OF COLORADO'S ENVIRONMENT

Section 32. Environmental Rights

SECTION 1. — PURPOSE AND FINDINGS

(1) THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT COLORADO'S ENVIRONMENT IS THE COMMON PROPERTY OF ALL COLORADANS; ~~THAT~~ CONSERVATION OF COLORADO'S ENVIRONMENT, INCLUDING ITS CLEAN AIR, PURE WATER, AND NATURAL, AND SCENIC VALUES IS FUNDAMENTAL; AND ~~THAT~~ COLORADO'S ENVIRONMENT SHOULD BE PROTECTED AND PRESERVED FOR ALL COLORADANS, INCLUDING GENERATIONS YET TO COME.

SECTION 2. — ENVIRONMENTAL RIGHTS

(2) THE PEOPLE OF THE STATE OF COLORADO, INCLUDING FUTURE GENERATIONS, HAVE A RIGHT TO COLORADO'S ENVIRONMENT, INCLUDING ITS CLEAN AIR, PURE WATER, AND NATURAL, AND SCENIC VALUES. AS TRUSTEES OF THIS RESOURCE, THE STATE AND LOCAL GOVERNMENTS SHALL CONSERVE COLORADO'S ENVIRONMENT, INCLUDING ITS CLEAN AIR, PURE WATER, AND NATURAL, AND SCENIC VALUES FOR THE BENEFIT OF ALL THE PEOPLE. ~~THE PROVISIONS OF THIS SECTION ARTICLE SHALL APPLIES~~ TO THE SSTATE OF COLORADO, AND TO EVERY COLORADO CITY, TOWN, COUNTY, AND CITY AND COUNTY, NOTWITHSTANDING ANY PROVISION OF AARTICLE XX, OR SSECTION 16 OF AARTICLE XIV, OF THE COLORADO CCONSTITUTION.

SECTION 3. — SELF-EXECUTING, SEVERABILITY, CONFLICTING PROVISIONS

(3) ALL PROVISIONS OF THIS SECTION OF ARTICLE II OF THE COLORADO CONSTITUTION ARTICLE ARE SELF-EXECUTING AND SEVERABLE. TO FACILITATE THE CONSERVATION OF COLORADO'S ENVIRONMENT, LOCAL GOVERNMENTS ~~SHALL~~ HAVE THE POWER TO ENACT LAWS, REGULATIONS, ORDINANCES, AND CHARTER PROVISIONS THAT ARE MORE RESTRICTIVE AND PROTECTIVE OF THE ENVIRONMENT THAN LAWS OR REGULATIONS ENACTED OR ADOPTED BY THE STATE GOVERNMENT. IF ANY LOCAL LAW OR REGULATION ENACTED OR ADOPTED PURSUANT TO THIS ARTICLE CONFLICTS WITH A STATE LAW OR REGULATION, THE MORE RESTRICTIVE AND PROTECTIVE LAW OR REGULATION ~~SHALL~~ GOVERNS.