



## 2025 ASSEMBLY JOINT RESOLUTION 36

May 2, 2025 - Introduced by Representatives MADISON, STROUD, MIRESE, TENORIO, MCCARVILLE, PALMERI, J. JACOBSON, JOERS, ANDERSON, ANDRACA, ARNEY, BARE, BROWN, CLANCY, CRUZ, DESANTO, DESMIDT, EMERSON, FITZGERALD, GOODWIN, HAYWOOD, HONG, HYSELL, JOHNSON, MAYADEV, MOORE OMOKUNDE, NEUBAUER, ORTIZ-VELEZ, PHELPS, PRADO, RIVERA-WAGNER, ROE, SHEEHAN, SINICKI, SNODGRASS, STUBBS, SUBECK, UDELL and VINING, cosponsored by Senators SPREITZER, HABUSH SINYKIN, DASSLER-ALFHEIM, DRAKE, HESSELBEIN, L. JOHNSON, KEYESKI, LARSON, RATCLIFF, ROYS, SMITH and CARPENTER. Referred to Committee on Environment.

- 1 **To create** section 27 of article I of the constitution; **relating to:** the right of the
- 2 people to a clean, safe, and healthy natural environment and to its
- 3 preservation (first consideration).

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### *Analysis by the Legislative Reference Bureau*

This constitutional amendment, proposed to the 2025 legislature on first consideration, provides that the people, including future generations, have the right to a clean, safe, and healthy natural environment, including clean water, clean air, healthy soils, self-sustaining ecosystems, and a safe and stable climate, and to the preservation of the natural, cultural, and healthful qualities of the environment. Under the amendment, these rights shall never be infringed, shall be subject to strict scrutiny review in court, shall be protected equitably for all communities in the state, and are self-executing. Under strict scrutiny judicial review, any restriction of a fundamental right may generally be upheld only if the restriction is necessary to achieve a compelling state interest and is narrowly tailored to its purpose and no reasonable less restrictive alternative exists.

The constitutional amendment also provides that the state, as trustee, must protect Wisconsin's natural resources for all of the people of Wisconsin, including future generations.

A constitutional amendment requires adoption by two successive legislatures and ratification by the people before it can become effective.

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1        ***Resolved by the assembly, the senate concurring, That:***

2        **SECTION 1.** Section 27 of article I of the constitution is created to read:

3        [Article I] Section 27 The people, including future generations, have the right  
4        to a clean, safe, and healthy natural environment, including clean water, clean air,  
5        healthy soils, self-sustaining ecosystems, and a safe and stable climate, and to the  
6        preservation of the natural, cultural, and healthful qualities of the environment.  
7        These rights shall never be infringed, shall be subject to strict scrutiny review in  
8        court, shall be protected equitably for all communities in the state, and are self-  
9        executing.

10        (2) The state, as trustee, shall protect Wisconsin's natural resources for all of  
11        the people of this state, including future generations.

12        **SECTION 2. Numbering of new provisions.** If another constitutional  
13        amendment ratified by the people creates the number of any provision created in  
14        this joint resolution, the chief of the legislative reference bureau shall determine  
15        the sequencing and the numbering of the provisions whose numbers conflict.

16        ***Be it further resolved, That*** this proposed amendment be referred to the  
17        legislature to be chosen at the next general election and that it be published for  
18        three months previous to the time of holding such election.

19        **(END)**