



**NEW MEXICO
BUSINESS COALITION**

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RE: Oppose SJR 8 Environmental Rights, CA

Mr./Madame Chair and Committee Members:

The New Mexico Business Coalition (NMBC) represents hundreds of businesses and thousands of New Mexicans. Our focus is to make New Mexico a better place to live and work, where we have an abundance of good-paying jobs to provide for our families.

NMBC respectfully opposes SJR 8 Environmental Rights, CA. All our members and followers support a clean, vibrant environment, but they want to see that accomplished in a way that provides balance and allows businesses to provide for our needs while creating jobs for New Mexicans. This proposed amendment does not accomplish that.

If approved by voters, state constitution would be altered, which is not a desirable way to address the environment. New Mexico often experiences unintended consequences resulting from legislation in general. Changes to the constitution carry an even higher level of ongoing impact. There is no way to address unintended issues with a CA without going back to voters, which greatly impedes and slows correction. The undefined and ambiguous language in SJR 8 giving New Mexicans "...the right to clean and healthy air, water, soil and environments, a stable climate and self-sustaining ecosystems..." all but assures there will be unintended consequences.

The proposed amendment allows individuals to sue government agencies which is expensive to the state and, therefore, harmful to taxpayers. In addition, agencies embroiled in litigation will be challenged in addressing their normal workload. This could mean slower response time for inspections that would impede business operations, such as restaurants and operators in the oil and gas industry that require inspections so they can continue operations. Not only does this reduce revenue to the business, but it also reduces revenue to the state when that business is unable to operate.

While this legislation removes monetary damages for a violation if the proposal became part of the NM Constitution, there is no guarantee that monetary damages would not be awarded by a court. The language does not exclude the possibility of attorneys' fees and costs being awarded leaving the potential for extremely high legal costs that taxpayers would be responsible for.

The proponents of this so called 'Green Amendment' are focused on the goal of getting certain language in the NM Constitution, but they are giving little consideration to the impact it will have on New Mexicans. This is part of a nationwide movement to change environmental protection in the United States, but it does not consider the work already accomplished in our state. New Mexico already has some of the most stringent environmental laws in place, including the strongest methane rule in the country.

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On behalf of hard-working New Mexicans and businesses, and for the reasons stated,
we urge you to say 'NO' to SJR 8 Environmental Rights, CA.

Thank you,

A handwritten signature in blue ink that reads "C. Sonntag". The signature is fluid and cursive, with a long horizontal flourish at the end.

Carla J. Sonntag,
President and CEO