

STAND. COM. REP. NO.

248

Honolulu, Hawaii

FEB 12 , 2021

RE: H.B. No. 551
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and
Water & Land, to which was referred H.B. No. 551 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE
CONSTITUTION OF THE STATE OF HAWAII TO GUARANTEE ALL
INDIVIDUALS THE RIGHT TO HAVE A CLEAN AND HEALTHY
ENVIRONMENT,"

beg leave to report as follows:

The purpose of this measure is to propose a constitutional
amendment that guarantees individuals the right to a clean and
healthy environment, including pure water, clean air, healthy
ecosystems, and a stable climate, and to the preservation of the
natural, cultural, scenic and healthful qualities of the
environment.

Your Committees received testimony in support of this measure
from the Environmental Caucus of the Democratic Party of Hawai'i;
Kauai Climate Action Coalition; Hawai'i Youth Climate Coalition;
Green Amendments for the Generations; Surfrider Foundation, O'ahu
Chapter; Kūpuna for the Mo'opuna; Friends of Hanauma Bay; Imua
Alliance; Hawaii Reef and Ocean Coalition; 350Hawaii; Sustainable
Coastlines Hawai'i; Zero Waste Oahu; and numerous individuals.
Your Committees received testimony in opposition to this measure
from two individuals. Your Committees received comments on this
measure from the Department of the Attorney General.

2021-1542 HB551 HD1 HSCR HMSO



Your Committees find that clean water, clean air, a stable climate, and a healthy environment are critical for supporting the physical, mental, and economic health of the State's residents. The proposed constitutional amendment in this measure recognizes and protects the alienable rights of all people, including future generations, to clean water, clean air, a stable climate, and healthy environments and makes clear the State's duties to protect the environment for the benefit of the residents and future generations.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 551, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 551, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Water & Land,



DAVID A. TARNAS, Chair



NICOLE E. LOWEN, Chair




State of Hawaii
House of Representatives
The Thirty-first Legislature **HSCR 248**

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 551	Committee Referral: EEP/WAL, JHA, FIN	Date: 2/11/21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	/			
2. MARTEN, Lisa (VC)	/			
3. HASHEM, Mark J.	/			
4. MATAYOSHI, Scot Z.		/		
5. PERRUSO, Amy A.	/			
6. TODD, Chris	/			
7. TOKIOKA, James Kunane				/
8. MATSUMOTO, Lauren	/	WR		
TOTAL (8)	6	1	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Lauren Matsumoto</u> MATSUMOTO - AME				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				

State of Hawaii
House of Representatives
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Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB551	Committee Referral: EEP/WAL, JHA, FIN	Date: 2/11/2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="checked" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	X			
2. BRANCO, Patrick Pihana (VC)	X			
3. GANADEN, Sonny	o			
4. KOBAYASHI, Bertrand		o		
5. KONG, Sam Satoru			o	
6. MORIKAWA, Dee		o		
7. OHNO, Takashi				X
8. McDERMOTT, Bob				o
TOTAL (8)	3	2	1	2
The recommendation is: <input checked="checked" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				