

JAN 22 2021

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article I of the Constitution of the State of
3 Hawaii to guarantee all individuals the right to have a clean
4 and healthy environment. While the Constitution currently
5 mandates a trust obligation of the State to protect Hawaii's
6 natural beauty and all natural resources, an amendment to the
7 State's Bill of Rights guaranteeing an individual's right to a
8 clean and healthy environment is a necessary complement.

9 SECTION 2. Article I of the Constitution of the State of
10 Hawaii is amended by adding a new section to be appropriately
11 designated and to read as follows:

12 **"ENVIRONMENTAL RIGHTS"**

13 Section . Each person has a right to a clean and
14 healthy environment, including pure water, clean air, healthy
15 ecosystems, and a stable climate, and to the preservation of the
16 natural, cultural, scenic and healthful qualities of the



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1 environment. This provision and the rights stated herein are
2 self-executing. The reserved rights stated herein are on par
3 with other protected inherent and inalienable rights and may not
4 be diminished through the interpretation or implementation of
5 Article XI, Section 9."

6 SECTION 3. The question to be printed on the ballot shall
7 be as follows:


8 "Shall the Constitution of the State of Hawaii be amended to
9 provide that each person has a right to a clean and healthy
10 environment, including pure water, clean air, healthy
11 ecosystems, and a stable climate, and to the preservation of
12 the natural, cultural, scenic and healthful qualities of the
13 environment?"

14 SECTION 4. New constitutional material is underscored.

15 SECTION 5. This amendment shall take effect upon
16 compliance with article XVII, section 3, of the Constitution of
17 the State of Hawaii.

18

INTRODUCED BY:



S.B. NO. 502

Report Title:

Constitutional Amendment; Green Amendment; Environmental Protection

Description:

Proposes a constitutional amendment which 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. Self-executing. Clarifies that the rights guaranteed may not be diminished by Article XI, Section 9, of the Constitution.

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