

STAND. COM. REP. NO.

101

Honolulu, Hawaii

**FEB 08 2023**

RE: S.B. No. 635

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 635 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS, AND BEACHES,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

Your Committee received testimony in support of this measure from the Chamber of Sustainable Commerce, Zero Waste Kauai, Our Revolution Hawaii, Kauai Women's Caucus, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Kauai Climate Action Coalition, Trinity United Methodist Church, Community Coalition Kauai, Green Amendments for the Generation, Hawai'i Alliance for Progressive Action, Hawaii Youth Climate Coalition, Independent Energy, 350Hawaii, Surfrider Foundation, Zero Waste Hawai'i Island, Imua Alliance, and twenty-nine individuals. Your Committee received

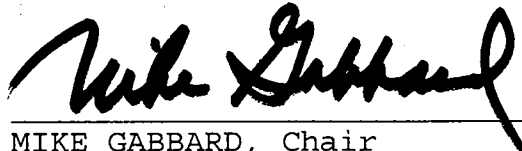


comments on this measure from the Department of the Attorney General and Department of Land and Natural Resources.

Your Committee finds that the earth and its environments are under siege from the consequences of modern human civilization. Though the Hawaiian islands are the most isolated island chain in the world, the State is not immune to the severe weather patterns, toxic contamination and degradation of natural spaces, and extreme changes to the climate that are ravaging the planet. Your Committee further finds that governments around the world are slow to adopt laws that could curtail these effects, which leaves Hawaii, its people, and its natural resources in a state of increasing vulnerability. The Hawaii State Constitution acknowledges the rights and duties of the State to protect the environment, but does not recognize the inalienable and self-executing right of all people to a clean and healthy environment. Thus, this measure proposes an amendment to Article I of the Hawaii State Constitution that will enhance the State's commitment to the health of the environment and the collective well-being of its people.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 635 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Agriculture and  
Environment,



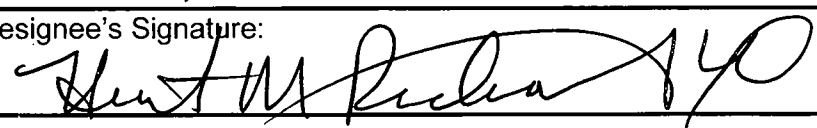
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MIKE GABBARD, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 635</b>	Committee Referral: <b>AEN, JDC/WAM</b>	Date: <b>2/1/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)		X		
DECOITE, Lynn		X		
RHOADS, Karl	X			
AWA, Brenton			X	
<b>TOTAL</b>	<b>2</b>	<b>2</b>	<b>1</b>	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes