
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 9, OF THE
CONSTITUTION OF THE STATE OF HAWAII TO REAFFIRM AND
STRENGTHEN THE STATE'S COMMITMENT TO ENVIRONMENTAL RIGHTS.

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 XI, section 9, of the Constitution of the
3 State of Hawaii to reaffirm and strengthen the State's
4 commitment to environmental rights.

5 SECTION 2. Article XI, section 9, of the Constitution of
6 the State of Hawaii is amended to read as follows:

7 "ENVIRONMENTAL RIGHTS

8 **Section 9.** Each person has the right to a clean and
9 healthful environment [~~as defined by laws relating to~~
10 ~~environmental quality, including control of pollution and~~
11 ~~conservation, protection and enhancement of natural resources.]
12 based on a mutual respect and justice for all peoples, free from
13 any form of subconscious or institutional discrimination. The
14 State reaffirms and strengthens its commitment to environmental
15 justice and to providing fair treatment to native Hawaiian,
16 ethnic minority, and low-income populations that may be
17 disproportionately impacted by proposed actions on the health~~



1 and environment of those populations. Any person may enforce
 2 this right against any party, public or private, through
 3 appropriate legal proceedings [~~subject to reasonable~~
 4 ~~limitations and regulation as provided by law~~]."

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

7 "Shall each person's right to a clean and healthful
 8 environment be based on mutual respect and justice for all
 9 and the State's commitment to environmental justice and the
 10 fair treatment of populations that may be disproportionately
 11 affected by proposed actions on the health and environment
 12 of those populations?"

13 SECTION 4. Constitutional material to be repealed is
 14 bracketed and stricken. New constitutional material is
 15 underscored.

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

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INTRODUCED BY:

Mel Canoe

Cindy Erwin
Sen. Sen.

[Signature]

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Report Title:

Constitutional Amendment; Environmental Rights

Description:

Proposes an amendment to article XI, section 9, of the Constitution of the State of Hawaii to reaffirm and strengthen the State's commitment to environmental justice for certain populations that are disproportionately impacted by harmful environmental actions.

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