
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 2, OF THE
CONSTITUTION OF THE STATE OF HAWAII TO INCLUDE ACCESS TO
CLEAN DRINKING WATER, EDUCATION AND HEALTH CARE AMONG THE
INHERENT AND INALIENABLE RIGHTS OF INDIVIDUALS.

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

1 SECTION 1. The legislature finds that the future health of
2 the people and economy of this state and country depend upon
3 individual access to basic necessities including clean water,
4 healthcare, and education.

5 The legislature finds the United States is the wealthiest
6 country in the world, yet our critical resources have been
7 compromised. In cities such as Flint, Michigan, access to clean
8 water has been cut off to local residents for over a year. In
9 towns around the country fresh water wells have been
10 contaminated by chemical discharge from fossil fuel fracking
11 extraction. In Hawaii, cesspools and leaking underground fuel
12 tanks have begun to contaminate fresh water resources, and
13 significant potential for further contamination remains.

14 The legislature further finds that the United Nations has
15 declared education a fundamental human right, and today a



1 quality education is a critical asset for individuals and
2 economies competing in a globalized world. Yet, our nation has
3 been ranked among the lowest of all developed nations in
4 education. In 2015 American students placed 40th in math, 24th
5 in reading, and 25th in science in the worldwide Program
6 International Student Assessment. Hawaii ranks nearly last
7 among the states.

8 The legislature finds the United States has the most
9 expensive healthcare system in the world, yet has been ranked as
10 providing the worst healthcare outcomes of any developed nation.
11 Prices for medication are significantly more expensive in the
12 United States than for the same medication in any other country.
13 And despite the success of the Affordable Care Act reducing the
14 uninsured rate to below 10 percent, one in ten Americans still
15 do not have healthcare coverage. As a result countless families
16 have been bankrupted by medical bills, and the life expectancy
17 of the millennial generation has declined to below that of their
18 parents.

19 The legislature further finds that bold steps must be taken
20 to address these pressing issues. In his 1944 State of the
21 Union Address, President Franklin D. Roosevelt called for a



1 "second bill of rights" which included the individual rights to
2 "adequate medical care" and a "good education." Today most
3 modern western nations include the individual right to
4 healthcare, education and clean water in their constitutions.
5 Acting to address these priorities has enabled cheaper and more
6 effective healthcare, produced better educational outcomes, and
7 has meant fewer communities left without access to clean water.

8 The purpose of this Constitutional Amendment is to allow
9 the people of Hawaii an opportunity to affirm the importance of
10 access to basic necessities for themselves and future
11 generations, provide guidance to elected leaders to boldly
12 address these growing challenges, and ensure the individual
13 rights of all people to clean drinking water, meaningful
14 healthcare, and a quality education.

15 SECTION 2. Article I, section 2, of the Constitution of
16 the State of Hawaii is amended to read as follows:

17 **"RIGHTS OF INDIVIDUALS**

18 Section 2. All persons are free by nature and are equal in
19 their inherent and inalienable rights. Among these rights are
20 the enjoyment of life, liberty and the pursuit of happiness [~~7~~
21 ~~and~~] the acquiring and possessing of property [~~-~~], and access to



1 clean drinking water, meaningful health care, and a quality
2 education. These rights cannot endure unless the people
3 recognize their corresponding obligations and responsibilities."

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

6 "Shall the state constitution be amended to ensure that
7 access to clean water, meaningful health care, and a quality
8 education are among the inherent and inalienable rights of
9 individuals?"

10 SECTION 4. Constitutional material to be repealed is
11 bracketed and stricken. New constitutional material is
12 underscored.

13 SECTION 5. This amendment shall take effect upon
14 compliance with of the Constitution of the State of
15 Hawaii.



Report Title:

Constitutional Amendment; Individual Rights; Clean Water;
Education; Health Care

Description:

Proposes a constitutional amendment to ensure access to clean drinking water, meaningful health care, and a quality education are among the inherent and inalienable rights of individuals.
(HB1582 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

