## 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 state 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

- 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 Act shall take effect on July 1, 2050;
- 16 provided that this amendment shall take effect upon compliance
- 17 with article XVII, section 3, of the Constitution of the State
- 18 of Hawaii.

## Report Title:

Constitutional Amendment; Green Amendment; Environmental Protection

## Description:

Proposes 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. Clarifies that the rights guaranteed may not be diminished by Article XI, Section 9, of the State Constitution. Effective 7/1/2050. (HD1)

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