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 Hawai'i'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 and healthy
- 15 ecosystems, and to the preservation of the natural, cultural,
- 16 scenic and healthful qualities of the environment. This



- 1 provision and the rights stated herein are self-executing. The
- 2 reserved rights stated herein are equivalent to other protected
- 3 inherent and inalienable rights."
- 4 SECTION 3. The question to be printed on the ballot shall
- 5 be as follows:
- 6 "Shall the Constitution of the State of Hawaii be amended to
- 7 provide that each person has a right to a clean and healthy
- 8 environment, including pure water, clean air, and healthy
- 9 ecosystems, and to the preservation of the natural,
- 10 cultural, scenic, and healthful qualities of the
- 11 environment?"
- 12 SECTION 4. New constitutional material is underscored.
- 13 SECTION 5. This amendment shall take effect fifty years
- 14 after the vote of the electorate required pursuant to article
- 15 XVII, section 3, of the Constitution of the State of Hawaii.

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, and healthy ecosystems, and to the preservation of the natural, cultural, scenic, and healthful qualities of the environment. Self-executing. Effective fifty years after approval by vote of the electorate. (SD2)

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