

STAND. COM. REP. NO. 637

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 502  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 502, S.D. 1, entitled:

"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,"

beg leave to report as follows:

The purpose and intent of this measure is to propose 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.

Your Committees received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition, Green Amendments For The Generations, Imua Alliance, Surfrider Foundation, Kauai Climate Action Coalition, Kūpuna for the Mo'opuna, 350Hawaii, Our Revolution Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Youth Climate Coalition, Center for Biological Diversity, and eighteen individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of the Attorney General and NAIOP Hawai'i.

Your Committees find that clean water, clean air, a stable climate, and a healthy environment are essential for supporting



physical, mental, and economic health of the State's residents. This measure would recognize and establish a right for all people to clean water, clean air, a stable climate, and healthy environments and make clear the government's duties, as a trustee, to protect the environment for the benefit of the residents and future generations. Your Committees further find, however, that the global effects of climate change mean that a stable climate cannot be guaranteed.

Your Committees have amended this measure by:

- (1) Removing references to the right to a stable climate;
- (2) Making it effective fifty years after approval by vote of the electorate, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 502, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 502, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair

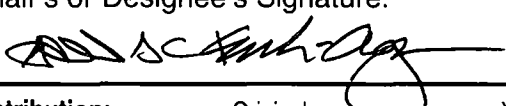
  
KARL RHOADS, Chair





The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 502, SD 1	AEN, JDC/WAM	2/23/21		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
INOUYE, Lorraine R.		X		
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.		X		
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn				X
FEVELLA, Kurt		X		
<b>TOTAL</b>	7	3		1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes