

HCR-88

Submitted on: 3/17/2024 6:43:07 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	The Green Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair Ichiyama, Vice Chair Poepoe, and Members of Committee,

On behalf of the Green Party of Hawai'i, we stand in Very Strong Support of HCR88. Please vote Yes, to adopt a proposed constitutional amendment, and the electorate to ratify the proposed amendment, guaranteeing all individuals the right to a clean and Healthy Environment !

Wow, this is a beautiful resolution, I cannot always use those words when writing testimony, but , along side its companion HR74, this is a win for every living creature, humans included, on our Islands.

Mahalo nui,

Susan RobertsEmery

Co Chair GPH



To: The House Committee on Water & Land (WAL)
From: Sherry Pollack, 350Hawaii.org
Date: Tuesday, March 19, 2024, 9:30am

In strong support of HR74/HCR88

Aloha Chair Ichiyama, Vice Chair Poepoe, and members of the WAL committee,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org is in **strong support of HR74/HCR88** that encourages the State of Hawaii to adopt a proposed constitutional amendment, and the electorate is encouraged to ratify the proposed amendment, guaranteeing all individuals the right to a clean and healthy environment.

Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of government planning, decision making, and regulating. Moreover, our constitution should recognize and protect the rights of all people, **including for future generations**.

We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

Montana, New York, and Pennsylvania have already adopted environmental rights amendments to their constitutions to emphasize environmental health and safety as part of basic civil liberties. We deserve these same rights, but don't truly have them.

BOTTOMLINE: If you want a right to a clean and healthy environment you have to put it in the bill of rights.

Mahalo for the opportunity to testify.

Sherry Pollack
Co-Founder, 350Hawaii.org

HCR-88

Submitted on: 3/18/2024 6:57:30 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dave Mulinix	Greenpeace Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Chair Ichiyama, Vice Chair Poepoe, & Committee Members,

My name is Dave Mulinix, Co-Founder and Statewide Organizer for the Hawaii State Chapter of Greenpeace, the largest environmental organization in the world, with an international membership of over 3 million. On behalf of Greenpeace Hawaii's thousands of members and supporters statewide we stand in **STRONG SUPPORT** of HR74/HCR88, that encourages the state of Hawaii to adopt a proposed constitutional amendment, and the electorate to ratify the proposed amendment, guaranteeing all individuals the right to a clean and healthy environment.

Passage of HR74/HCR88 is important because adding an environmental rights amendment to a state constitution's Bill of Rights guarantees its citizens the inalienable right to a healthy environment, climate, clean air, and clean water. Our current laws and protections aren't working. Corporate for-profit institutions with their heavy influence in government have continually blocked efforts to protect our community from environmental degradation and climate breakdown. Placement in Article I ensures environmental rights are protected on par with other fundamental rights and ensures fair balancing of rights when needed.

Finally, some Hawaii officials have expressed concerns that an environmental amendment might spur frivolous lawsuits. Such concerns are unsupported by the law or facts. There hasn't been a proliferation of inappropriate litigation relying on constitutional environmental rights in the three states where communities already enjoy environmental right protection. Rather, the lawsuits brought have been important and reasonable and have helped protect air, water, soil, human health, and to support the proper interpretation of environmental laws passed by state government. The environmental amendments in Pennsylvania, Montana and New York have not only been relied upon by communities to secure essential environmental protections otherwise being overlooked, but have also been used by state regulatory agencies, attorneys general, and local government bodies to protect their own environmental authority and their ability to pursue environmental protections they have identified as being of primary importance. In fact, there is no litigation that has been dismissed as frivolous because of an environmental amendment claim. Most often, their environmental amendment protections have been brought forth to help government officials and the courts properly interpret, apply and enforce the environmental laws and regulations that are already on the books, as opposed to being free-standing challenges to government overreach.

In closing, ensuring environmental rights protection will, by its nature, strengthen property rights protection because too often pollution migrates onto the property of others. The complement of property rights with environmental rights will allow us to better protect the sanctity of families and homes.

Please pass HR74/HCR88 towards protecting and ensuring our rights to a clean healthy environment.

Mahalo, Dave Mulinix, Co-Founder & Statewide Organizer

Greenpeace Hawaii

HCR-88

Submitted on: 3/18/2024 7:49:52 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Helen Cox	Kauai Climate Action Coalition	Support	Written Testimony Only

Comments:

Aloha,

I am writing on behalf of Kauai Climate Action Coalition (KCAC), a group of over 150 Kauai residents. KCAC recognizes the imminent and devastating effects of the climate crisis, and works through education, direct action, and supporting effective policy to mitigate this crisis and create a sustainable, thriving, and equitable future. We support HCR88.

Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including for future generations.**

We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

If we want a right to a clean and healthy environment, we must put it in the bill of rights.

Mahalo for passing this important resolution

Helen Cox, Chair

Kauai Climate Action Coalition

HCR-88

Submitted on: 3/16/2024 7:55:00 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

Please support this in preparation for a Green Amendment, for our children and grandchildren.

HCR-88

Submitted on: 3/17/2024 10:57:27 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Milena Kari	Individual	Support	Written Testimony Only

Comments:

Aloha,

I strongly support this bill. Clean and healthy environment is a fundamental right and we owe that to our future generations.

Mahalo,

Milena Kari

HCR-88

Submitted on: 3/17/2024 11:33:34 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello,

I am writing to urge your support for HCR88, House and House Concurrent Resolutions that advocate for the addition of an environmental rights amendment to Hawaii's state constitution Bill of Rights. This crucial step would lay the foundation for the passage of a Green Amendment bill, solidifying every citizen's entitlement to a clean and healthy environment.

The imperative for such a measure stems from the inadequacy of our current legal framework in safeguarding our environment. Despite existing laws and protections, corporate interests often wield significant influence in government, impeding efforts to prevent environmental degradation and combat climate change effectively. This status quo underscores the urgent need for constitutional reinforcement of environmental rights.

Passing these resolutions would not only signal our commitment to environmental stewardship but also pave the way for the enactment of substantive legislation. By embedding the right to a clean and healthy environment in our state constitution, we can bolster existing laws and address critical gaps in environmental protection. It is disheartening that previous attempts to pass a Green Amendment bill have faltered in committee year after year. However, with your support for HCR88, we can strive to break this cycle of inaction.

In essence, these resolutions represent a pivotal opportunity to empower citizens and prioritize the preservation of our natural resources for future generations. By acknowledging environmental rights as fundamental, we affirm our collective responsibility to nurture and safeguard Hawaii's unique ecosystems.

In conclusion, I urge you to stand on the right side of history by supporting HCR88. Let us seize this moment to enshrine the right to a clean and healthy environment in Hawaii's Bill of Rights, ensuring a more sustainable and equitable future for all.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili, O'ahu

HCR-88

Submitted on: 3/17/2024 11:56:56 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including for future generations**.

- We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

- Montana, New York, and Pennsylvania have already adopted environmental rights amendments to their constitutions to emphasize environmental health and safety as part of basic civil liberties. We deserve these same rights, but don't truly have them.

BOTTOMLINE: If you want a right to a clean and healthy environment you have to put it in the bill of rights.

HCR-88

Submitted on: 3/17/2024 3:02:40 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
L. Osterer	Individual	Support	Written Testimony Only

Comments:

The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Environmental threats are growing worse and we are facing a climate crisis. But the environment which affects climate the most, is currently not recognized and protected as it ought to be, with constitutional protection. and Sometimes is not considered at all or after it's too late.

We all need clean water and air, to live healthy and good quality lives. So our environmental rights should be protected as strongly as the other fundamental rights we hold dear.

Montana, New York, and Pennsylvania have already adopted environmental rights amendments to their constitutions to emphasize environmental health and safety as part of basic civil liberties. We deserve these same rights, as we in Hawaii are totally dependent on the environment for our well being, and always will be.

Let's insure our right to a clean and healthy environment by putting it in the bill of rights.

Thanks for your consideration.

HCR-88

Submitted on: 3/17/2024 5:30:28 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn Metzler	Individual	Support	Written Testimony Only

Comments:

The people of Hawaii have a right to a clean and healthy environment. These environmental rights should be protected as strongly as our other fundamental rights. This will not be assured unless it is added to the State Constitution.

HCR-88

Submitted on: 3/17/2024 8:37:01 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Support	Written Testimony Only

Comments:

we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including for future generations.**

- We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

- Montana, New York, and Pennsylvania have already adopted environmental rights amendments to their constitutions to emphasize environmental health and safety as part of basic civil liberties. We deserve these same rights, but don't truly have them.

Mahalo for supporting this bill.

Bobbie Best, Wailuku

HCR-88

Submitted on: 3/17/2024 9:52:00 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Strong support! Passing these resolutions would **help support the future passage of a Green Amendment bill**, which would then firmly enshrine in the Hawaii Constitution the right to a clean and healthy environment, thereby helping to strengthen laws on the books, and help fill the gaps that are left.

Mahalo!

HCR-88

Submitted on: 3/17/2024 11:08:55 PM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

HCR-88

Submitted on: 3/18/2024 6:30:02 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including for future generations**.

- We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

- Montana, New York, and Pennsylvania have already adopted environmental rights amendments to their constitutions to emphasize environmental health and safety as part of basic civil liberties. We deserve these same rights, but don't truly have them.

BOTTOMLINE: If you want a right to a clean and healthy environment you have to put it in the bill of rights.

Thank you for your consideration,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

HCR-88

Submitted on: 3/18/2024 8:17:39 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Melissa Barker	Individual	Support	Written Testimony Only

Comments:

Honorable Members,

I am writing to respectfully ask that you support HCR88.

Thank you for your attention and consideration.

Melissa Barker

Kapaa, HI

HCR-88

Submitted on: 3/18/2024 8:57:39 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniela Escontrela	Individual	Support	Written Testimony Only

Comments:

I am in **STRONG SUPPORT** of this bill. Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including for future generations**.

HCR-88

Submitted on: 3/19/2024 12:09:19 AM

Testimony for WAL on 3/19/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan Ramos	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a lifelong resident involved with environmental work here for over a decade, I strongly support this measure as I do the constitutional amendment it supports.

Mahalo,
Dylan Ramos
96816