



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 559, PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE CONSTITUTION TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS, AND BEACHES.

BEFORE THE:

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

DATE: Monday, January 27, 2025 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 224 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Reese R. Nakamura, Deputy Attorney General

Chair Gabbard and Members of the Committee:

The Department of the Attorney General provides the following comments.

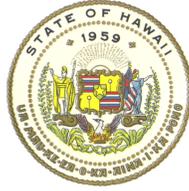
The purpose of the bill is to propose an amendment to article I of the Constitution of the State of Hawaii to add a new section that would provide: "The inherent and inalienable rights of the people, including present and future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems and beaches, shall be protected and shall not be infringed." (Page 2, lines 7-11).

Although the bill indicates that the proposed amendment would complement existing constitutional provisions and reinforce protections of human health, natural and cultural values, and the environment, we believe that the amendment broadens already existing rights. See article XI, section 1 ("[T]he State . . . shall conserve and protect Hawaii's natural beauty and all natural resources" and "[a]ll public natural resources are held in trust by the State for the benefit of the people."), and article XI, section 9 ("Each person has the right to a clean and healthful environment, as defined by laws relating to environmental quality, including . . . conservation, protection and enhancement of natural resources."), of the Hawaii Constitution.

We are concerned that the proposed amendment could be construed to limit the Legislature's future ability to regulate the environment in novel ways to address evolving

challenges. It may also raise questions concerning the constitutionality of existing environmental laws and regulations, or the implementation of such laws and regulations. All of this would complicate environmental enforcement efforts.

Thank you for the opportunity to provide comments.



STATE OF HAWAII
HAWAII CLIMATE CHANGE MITIGATION & ADAPTATION
COMMISSION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Co-Chairs:
Chair, DLNR
Director, OPSD

Commissioners:
Chair, Senate AEN
Chair, Senate WTL
Chair, House EEP
Chair, House WAL
Chairperson, HTA
Chairperson, DOA
CEO, OHA
Chairperson, DHHL
Director, DBEDT
Director, DOT
Director, DOH
Chairperson, DOE
Director, C+C DPP
Director, Maui DP
Director, Hawaii DP
Director, Kauai DP
The Adjutant General
Manager, CZM

**Testimony of
LEAH LARAMEE
Coordinator, Hawaii Climate Change Mitigation and Adaptation Commission**

**Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT**

**Monday, January 27, 2025
1:00 PM
State Capitol, Conference Room 224 & Videoconference**

**In consideration of
SENATE BILL 559
PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE
CONSTITUTION TO RECOGNIZE AND PROTECT THE INHERENT AND
INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A
HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE
ECOSYSTEMS, AND BEACHES.**

Senate Bill 559 proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including present and future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches shall be protected and shall not be infringed. **The Hawaii Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.**

The Commission consists of a multi-jurisdictional effort between 20 different departments, committees and counties with the purpose of promoting ambitious, climate-neutral, culturally responsive strategies for climate change adaptation and mitigation in a manner that is clean, equitable and resilient. The efforts of the climate commission aim to ensure the water, air, ecosystems and climate of Hawaii are healthful now and into the future.

Hawaii is already feeling the impacts brought forth by climate change, and as time progresses, these effects will be more prominent in many aspects of our lives. Sea level rise currently threatens 70% of our state beaches. Rising temperatures are increasing heat related deaths and illnesses and threatening the habitat of native species. Rainfall has declined significantly in the past 30 years reducing the recharge of Hawaii's aquifers and reducing availability of drinking water at risk. Changes in rainfall patterns are increasing both wildfires and flooding which have become increasingly devastating and costly to our people. Ocean acidification erodes our coral reefs,

harming our nearshore ecosystems which are vital for our culture, livelihoods, economy, conservation, shoreline protection, recreation and tourism.

The deep-rooted connection between Hawai'i's 'āina and people have been reflected in the constitution but has not prevented us from underinvesting in its protection. Acknowledging and amending our state constitution to guarantee the rights of our current and future generations to enjoy clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches will perpetuate intergenerational equity and underscore the need to take swift and coordinated action to address climate change.

Mahalo for the opportunity to provide testimony in support of this measure.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N.S. CHANG
Chairperson

Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT

Monday, January 27, 2025
1:00 PM

State Capitol Conference Room 224 and Videoconference

In Consideration of
SENATE BILL 559

PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE
CONSTITUTION TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE
RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT
AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS AND BEACHES

Senate Bill 559 proposes an amendment to Article I of the Hawaii State Constitution to recognize and protect the inherent and inalienable rights of the people of Hawaii to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches

The Department of Land and Natural Resources (Department) **supports SB559**, which aligns with our core value of Aloha 'Āina and our mission to enhance, protect, conserve and manage Hawaii's natural resources. This proposed constitutional amendment reinforces existing rights under Article XI, Section 9, which already provides each person the right to a clean and healthful environment. SB559 builds upon this provision by explicitly incorporating the rights to clean air, water and native ecosystem protections.

The tragic Lahaina fire resulted from the very real dangers of climate change and the effects of our collective neglect of native ecosystems. However, the people of Hawaii have shown their resilience, and their collective will to address climate change on a landscape level. For example, the Transformational Habitat Restoration and Coastal Resilience Grant (NOAA) will look at multiple measures to restore the landscape from Papalaua to Olowalu (Maui) to ensure the protection of the globally significant Olowalu reef. The governor's initiative to restore Mokuhinia and Moku'ula in Lahaina is also part of Hawaii's trend to look back even as we move forward.

The right to a clean and healthful environment was upheld in *Navahine F vs. Department of Transportation, State of Hawaii, et al.*, which was settled before the case went to trial. In this case, youth of Hawaii challenged the State Department of Transportation (HDOT) to ensure carbon neutrality so that they would have clean air as adults. Under the Navahine settlement HDOT will develop and implement measurable, science-based ways to achieve carbon neutrality.

The amendment proposed under this bill supports the many small and large ways the people of Hawaii are trying to ensure a healthy environment for the future. As mentioned earlier, the amendment aligns with the Department's mission. However, by clarifying the separately important parts of a "healthy environment," namely water, air, climate, native ecosystems and beaches, this bill also shores up support for Department's mission.

Thank you for the opportunity to support Senate Bill 559.



Officers

Kaipo Kekona
State President

Anabella Bruch
Vice-President

Maureen Datta
Secretary

Reba Lopez
Treasurer

Aloha Chair Gabbard, Vice Chair Richards, and Members of the Senate Agriculture and Environment Committee,

Chapter Presidents

Clarence Baber
Kohala, Hawai'i

Tony Vera
East Hawai'i

Puna, Hawai'i

Andrea Drayer
Ka'u, Hawai'i

Maureen Datta
Kona, Hawai'i

The Hawaii Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports SB559.**

For much the farming and agricultural community in Hawaii, the linkage between environmental integrity and sustainable agricultural practices is clear and profound. With Hawaii's unique ecosystems and limited land resources, environmental health directly impacts crop yields, soil fertility, and overall agricultural productivity. Ensuring constitutionally protected environmental rights aligns with our values of stewardship and respect for the land, which is vital for the long-term sustainability of agriculture and thus our food security.

The proposed amendment embodies the ethos of "Aloha Aina," and paves the way for a protective legal framework that will benefit current and future generations. This proactive measure serves as a testament to our collective obligation to safeguard Hawaii's extraordinary natural resources, which are the foundation of our islands' agricultural viability and cultural heritage.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF

Fawn Helekahi-Burns
Hāna, Maui

Mason Scharer
Haleakalā, Maui

Kaiea Medeiros
Mauna Kahālāwai,
Maui

Kaipo Kekona
Lahaina, Maui

Kilia Avelino-Purdy
Moloka'i

Negus Manna
Lāna'i

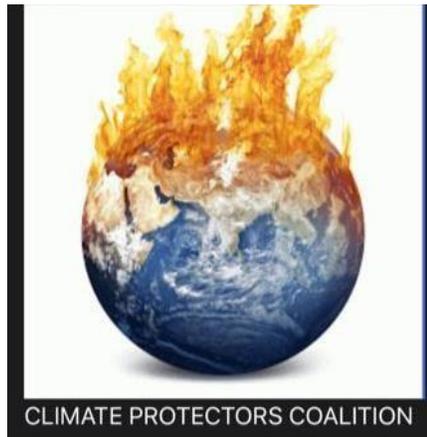
India Clark
North Shore, O'ahu

Christian Zuckerman
Wai'anae, O'ahu

Ted Radovich
Waimānalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i



To: The Honorable Representative Mike Gabbard, Chair, the Honorable Herbert M. “Tim” Richards, III, Vice Chair, and Members of the Committee on Agriculture and Environmental Protection.

From: Climate Protectors Hawai‘i (by Ted Bohlen)

Re: Hearing **SB559 PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE CONSTITUTION TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS, AND BEACHES.**

Hearing: Monday January 27, 2025, 1:00 p.m.

Aloha Chair Gabbard, Vice Chair Richards, and Agriculture and Environment Committee Members:

The mission of the Climate Protectors Hawai‘i is to educate and engage the local community in climate change action, to help Hawai‘i show the world the way back to a safe and stable climate.

Hawai‘i’s Constitution currently does include rights to “a clean and healthful environment,” but only “as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of natural resources.” Hawai‘i also does have a strong doctrine protecting the public trust that is deeply rooted in Hawaiian culture, affirmed by our courts.

This Green Constitutional Amendment bill (if passed into law and approved in a ballot referendum) would solidify our environmental rights. It would amend Hawaii’s Constitution to confirm as inherent and inalienable environmental rights of all people, including present and future generations, “clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.”

The explicit addition of a **healthful environment and climate** is particularly important as Hawai'i faces a warming climate with increasingly intense storms, droughts, wildfires, coral deaths, and sea level rise. This is a critical interest for the Climate Protectors Hawai'i.

Please pass this bill and **let the people decide** by referendum what Constitutional rights protections they want!

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)



In strong support of SB559

January 27, 2025

Members of the Committee on Agriculture and Environment,

We, the undersigned 19 organizations, are writing in strong support of SB559, the proposal to add environmental rights to the Bill of Rights of the Hawaii Constitution. Currently Pennsylvania, Montana and New York provide this highest constitutional recognition and protection for the inalienable human right of all people to a clean, safe and healthy environment. But nationwide people know of Hawaii’s leadership when it comes to environmental protection, and for honoring the values of protecting mother nature for present and future generations. With the passage of SB559, Hawaii would be the 4th state in the nation to pass a constitutional Green Amendment giving highest recognition for the environmental rights of all people – but we would also be the 1st state in the nation to explicitly give constitutional Bill of Rights protection for the right to a safe climate (providing powerful complement and strength to Hawaii’s leadership in protecting a safe climate for all generations) and for healthy native ecosystems including our beaches.

While Hawaii’s constitution Article XI Section 9 speaks to the importance of having environmental rights protection for the people of Hawaii, it fails to put those rights on par with the other fundamental rights such as speech, religious freedom and due process right. Instead, it leaves environmental rights

protection to the political process, to be defined by laws that can be subject to the politics of the day, easily undermined by a legislature that fails to fully appreciate the importance of protecting the environmental rights of all our people, and a legislative system that by its nature can be subject to gaps in protection or result in disproportionate harms for environmental justice communities that can be left without a remedy when they find themselves the victims of devastating levels of environmental pollution or degradation. The proposed Hawaii Green Amendment will provide a mechanism to fill the gaps, address inequities in interpretation and implementation of existing laws, and strengthen environmental protection by raising environmental rights up so they are given highest constitutional recognition and protection.

The proposed amendment reflects the rooted traditions and collective cultural conscience of the State's people, and exemplifies the fundamental Native Hawaiian notion of Aloha Aina, which translates to "love of the land" and is central to Native Hawaiian values and beliefs.

The proposed Hawaii Green Amendment will be a valuable complement to Hawaii's commitment and obligation to serve as a trustee of our state's natural resources and to protect those resources generationally that is found in Article XI Section 1 of our state constitution. The proposed environmental rights language will neither displace nor compete with this existing constitutional language. To the contrary, it will complement it by adding environmental rights protection to the natural resources trustee obligations of the state. This complementary approach of protection and values has proven helpful in other states. The proposed environmental rights language will also help to protect the legacy of environmental protection advanced by our current and previous legislators; ensuring strong protections already in place are not rolled back by any future legislative, regulatory or executive government officials who fail to hold the same environmental protection values.

The proposed Bill of Rights amendment will raise up our environmental rights so they become part of the guiding obligations and principles for all government action and legislation and, as with other Article I rights, are protected from government overreach and infringement. Article 1 placement also ensures that all state government, including branches, agencies and subdivisions, are constitutionally bound to protect our environmental rights, the obligation is not limited to the state legislature. Adding environmental rights to our Hawaii Bill of Rights will ensure that environmental protection and environmental justice are given high priority and that there is a focus on preventing environmental pollution and degradation throughout government decisionmaking when there is the best opportunity for preventing harm.

Bill of Rights protection will also ensure that when there are competing interests, environmental protection and rights will be part of the balancing of rights to be protected, rather than becoming subservient to other asserted rights, goals and needs. For example, if there is a tension between property rights and protecting the environmental rights of neighboring communities, the two will have to be balanced and both protected. Ensuring environmental rights protection will also, by its nature, strengthen property rights protection because too often the property of some (or even many) is invaded by the pollution of another, the complement of property rights with environmental rights will allow us to better protect the sanctity of our property, family and homes. PFAS contamination is a sad example of how pollution emanating from the property of some has invaded the water, air and bodies of those on

neighboring properties, bringing devastating consequences – contaminating drinking water, fish, food and the bodies of neighbors.

Securing Bill of Rights protection for our environmental rights is not intended to, nor would it be expected to, prevent industry, development or economic growth in our state. But it will ensure that business, industry and economic development advance sustainably and in ways that protect environmental interests, justice and rights. Environmental protection and economic development are not mutually exclusive, in fact they are inextricably connected – a healthy economy depends on a healthy environment, healthy communities and healthy people. The proposed environmental rights amendment will ensure that as we grow jobs and our economy, we also protect the environment for the health and safety of present and future generations.

In addition to helping protect our communities from damaging actions and decisions, the amendment will provide a powerful foundation on which our Hawaii government officials can conceive and advance protection laws, policies, programs and decisions.

We all need and deserve clean water and air, healthy native ecosystems and beaches, a healthful climate and environment. We need and deserve recognition and protection of our inalienable human rights to a clean and healthy environment so we can 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.

With Respect and Appreciation,

Signed:

Sherry Pollack, Co-Founder, 350Hawaii

Tanya Yamanaka Aynessazian, Principal Contractor, Chamber of Sustainable Commerce

Melodie Aduja & Alan Burdick, Co-Chairs, Environmental Caucus of the Democratic Party

Cara Oba, Climate Protectors Hawaii

Lisa Bishop, President, Friends of Hanauma Bay

Maya van Rossum, Founder, Green Amendments for the Generation

Dave Mulinix, Co-Founder, Greenpeace Hawaii

Anne Frederick, Executive Director, Hawaii Alliance for Progressive Action

Travis Idol, Hawaii Interfaith Power and Light

Ted Bohlen, Co-Founder, Hawaii Reef and Ocean Coalition

Perry Dye, Executive Director, Hawaii Youth Climate Coalition

Helen Cox, Chair, Kauai Climate Action Coalition

Laurel Brier, Kauai Women's Caucus

Don May, Our Revolution Hawaii

Hanna Lilley, Hawaii Regional Manager, Surfrider Foundation

Rob Brower, Chair, Surfrider Foundation, Kauai Chapter

Susan Gorman-Chang, Trinity United Methodist Church

Stuart Coleman, Executive Director, WAI – Wastewater Alternatives & Innovations

Ruta Jordans, Zero Waste Kauai



To: The Senate Committee on Agriculture and Environment (AEN)
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Monday, January 27, 2025, 1:00 pm

In strong support of SB559

Aloha Chair Gabbard, Vice Chair Richards, and AEN Committee members;

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 SB559** which proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

The Green Amendment will serve to strengthen the environmental protections currently recognized in our Hawaii Constitution. This is needed now more than ever in these times where ecosystems and our climate are facing destruction. 350Hawaii welcomes the inclusion of a Green Amendment in which environmental rights are given highest constitutional recognition and protection, on par with other fundamental rights such as speech.

The amendment would be a tool to help put a focus on the prevention of environmental harm, as well as provide legislators and regulators constitutional grounding upon which to advance positive and strengthened environmental protections. 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 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.

Opponents of this measure have cited a concern that it will create increased litigation and that “administrative agencies are already swamped by contested cases.” Such concerns are unsupported by

the law or facts. Green Amendments do not support frivolous litigation. In Pennsylvania, New York, and Montana, where Green Amendments now exist, there has not been an onslaught of frivolous litigation relying on constitutional environmental rights. Rather, the lawsuits brought have been reasonable and helped to shape the understanding of the constitutional requirement.

The Green Amendments in force 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 a Green Amendment claim. Most often, the Green 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.

With a Green Amendment, government agencies would need to consider our environmental rights when executing their duties, it would not be an afterthought as it is now. **We all need clean water, clean air, a healthful environment and climate.** Having the Green Amendment would support and secure better government decision-making that avoids environmental pollution and degradation.

The sooner these rights are recognized, the better off the future will be for our children.

Mahalo for the opportunity to testify in **strong support** of this very important legislation.

Sherry Pollack
Co-Founder, 350Hawaii.org

SB-559

Submitted on: 1/26/2025 12:05:21 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

Aloha Chair Gabbard, Vice Chair Richards, Senator DeCoite, Senator Rhoads, Senator Awa,

Greenpeace Hawaii stands in **STRONG SUPPORT** of SB559, aka the Green Amendment, that proposes a constitutional amendment that ensures that the fundamental right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

Passage of SB559 is important because environmental rights as proposed in this bill are not addressed by other existing constitutional provisions in the Hawaii constitution: Ensuring the rights to clean, safe and healthy environments are given the same constitutional standing and protection as other human, civil and political rights in the Hawaii constitution is of importance and value; and it is a goal that is not achieved with other existing constitutional language.

While Article XI, Section 1 speaks to the obligation of the state to protect natural resources, it does not speak to the rights of the people to clean and healthy environments.

Article XI, Section 9 is framed to acknowledge the rights and duties of state government to protect the environment, and the ability of people to enforce existing environmental protection laws, but it does not in fact recognize the inalienable rights of people to a clean and healthy environment ensuring that recognition of rights guides government action. As a result, the proposed Green Constitutional Amendment will fill a gap that exists in Hawaii’s constitution.

Placement in Article I ensures environmental rights are protected on par with other fundamental rights and ensures fair balancing of rights when needed. For example, when there is a tension between property rights and protecting the environmental rights of the people, the two will have to be balanced and both protected.

Finally, some Hawaii officials have expressed concerns that a Hawaii Green 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 3 states where communities already enjoy Green Amendment protections. 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 Green Amendments in force 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 a Green Amendment claim. Most often, the Green 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 SB559 and protect and ensure our rights to a clean healthy environment.

Mahalo, Dave Mulinix, CoFounder, Statewide Organizer

Greenpeace Hawaii



Senator Mike Gabbard, Chair
Senator Herbert M. "Tim" Richards, III, Vice Chair
Committee on Agriculture and Environment

Monday, January 27, 2025
1:00 PM in Room 224

RE: **HB559** Green Amendment - **Strong Support**

Dear Chair Gabbard and Vice Chair Richards and Members of the Committee,

The Chamber of Sustainable Commerce represents over 450 small businesses and entrepreneurs across the State of Hawaii that strive for a triple bottom line: people, planet and prosperity; we know Hawaii can strengthen its economy without hurting workers, consumers, communities or the environment.

We strongly support HB559, the "Green Amendment", which proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems and beaches, shall be protected and shall not be infringed.

The Hawaii Constitution offers the greatest protections our State can offer; giving the People of Hawaii an opportunity to amend the Constitution to include explicit protections for our future generations' right to clean water and air is urgently needed.

Current laws and protections aren't enough against corporate for-profit and other institutions' influence that block efforts to protect Hawaii and its people from further environmental degradation and climate breakdown. We have a right to a clean and healthy environment. The Green Amendment - HB559 - can secure this right for all us and our future generations through a ballot initiative in Hawaii's next election. Let's get this ConAm on the 2026 ballot.

Hawaii Legislative Council Members

Joell Edwards
Wainiha Country Market
Hanalei

Russell Ruderman
Island Naturals
Hilo/Kona

Dr. Andrew Johnson
Niko Niko
Family Dentistry
Honolulu

Robert H. Pahia
Hawaii Taro Farm
Wailuku

Maile Meyer
Na Mea Hawaii
Honolulu

Tina Wildberger
Kihei Ice
Kihei

L. Malu Shizue Miki
Abundant Life
Natural Foods
Hilo

Tanya Aynessazian
Principal Contractor

Chamber of
Sustainable Commerce
P.O. Box 22394
Honolulu, HI 96823

SB-559

Submitted on: 1/26/2025 1:16:05 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Testifying for Zero Waste Kauai	Support	Written Testimony Only

Comments:

The Green Amendment opens doors to the people of Hawaii to protect the environment legally. It allows us to legally support the best aina of Hawaii. In addition, the proposed amendment reflects the rooted traditions and collective cultural conscience of the State's people, and exemplifies the fundamental Native Hawaiian notion of Aloha Aina, which translates to "love of the land" and is central to Native Hawaiian values and beliefs.



Senate Committee on Agriculture and the Environment

Hawai'i Alliance for Progressive Action (HAPA) Strongly Supports: SB559

January 27th, 2025 at 1:00pm; Conference Room 224

Aloha Chair Gabbard, Vice Chair Richards and members of the committee,

HAPA is testifying in support of SB559 which proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

HAPA believes that this is needed now more than ever in these times where ecosystems and our climate are facing destruction.

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 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.

Please support SB559.

Mahalo for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick,
Executive Director

SB-559

Submitted on: 1/26/2025 10:39:47 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Helen Cox	Testifying for Kaua`i Climate Action Coalition	Support	Written Testimony Only

Comments:

Aloha Committee Chair and Members,

I am writing on behalf of the Kauai Climate Action Coalition, a group of 171 Kauai residents, to support SB559. This bill proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

Currently, healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, so protecting these basic human needs becomes an afterthought in government decision making. 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 future generations**.

Clean water and air, a healthy environment and climate to live healthy, long and good quality lives should be protected as firmly and powerfully as the other fundamental rights we hold dear.

Mahalo for your support of this important bill.

Helen Cox, Chair

Kaua`i Climate Action Coalition



SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

JANUARY 27TH, 2025

SB 559, PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE CONSTITUTION TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS, AND BEACHES

POSITION: SUPPORT

Coalition Earth **supports** SB 559, which proposes a constitutional amendment to recognize and protect the inherent and inalienable right of all people to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.

According to a report produced by the Hawai'i Climate Change Mitigation and Adaptation Commission, global sea levels could rise more than three feet by 2100, with more recent projections showing this occurring as early as 2060. In turn, over the next 30 to 70 years, approximately 6,500 structures and 19,800 people statewide will be exposed to chronic flooding.

Additionally, an estimated \$19 billion in economic loss would result from chronic flooding of land and structures located in exposure areas. Finally, approximately 38 miles of coastal roads and 550 cultural sites would be chronically flooded, on top of the 13 miles of beaches that have already been lost on Kaua'i, O'ahu, and Maui to erosion fronting shoreline armoring, like seawalls.

As we work to reduce carbon emissions and stave off the worst consequences of climate change, we must begin preparing for the adverse impact of sea level rise on our shores. We are now quantifying the speed at which we must act. We cannot continue to develop the 25,800-acre statewide sea level rise exposure area—one-third of which is designated for urban use—without risking massive structural damage and, potentially, great loss of life. In turn, we must take steps to ensure access to a clean and healthy environment as the worst effects of climate change approach our shores.

Rights of nature laws, including so-called “Green Amendments,” have been enacted in the United States and throughout the world as a means of protecting important ecological and cultural resources. In 2006 and 2007, the town of Tamaqua Borough in Pennsylvania established the first environmental personhood ordinances in the nation, which were intended to combat toxic waste. Since then, other locations have enacted or proposed rights of nature measures, including in 2010 Pittsburgh, Pennsylvania, and in 2020 Orange County, Florida.

Perhaps the most well-known international example of rights of nature legislation is the Te Awa Tupua (Whanganui River Claims Settlement) Act of 2017 enacted by the New Zealand parliament, which was the first piece of legislation to declare a river to be a legal person. The Te Awa Tupua Act bestowed upon the Whanganui River the rights, duties, and powers of a legal person, including the ability to sue those who harm it. Moreover, the Te Awa Tupua Act was aimed at improving the relationship between the government of New Zealand and its indigenous people through the enshrinement of the rights of nature associated with the culturally significant Whanganui River into law.

Our state should likewise take steps to preserve access to a clean and healthy environment. From the military’s fuel tanks beneath Red Hill to the pesticides unleashed by agrochemical companies on local farmland, our ‘āina has been subjected to degradation by those who put corporate profits before public health. Yet, public health should be treated as a sacrosanct fundamental right of Hawai‘i’s people, who should have the power to take legal action when the precious environment upon which we depend is endangered, thereby undermining the sustainability of our island home. For the sake of our keiki, we cannot afford to wait to solidify strategies to preserve our environmental resources for generations to come.

Coalition Earth is a nongovernmental organization that works to preserve the well-being of people and our planet. We champion policies that advance climate resilience, clean energy, public health, and economic fairness for working families. Contact us at info@coalitionearth.org.



Environmental Caucus of The Democratic Party of Hawai‘i

January 26, 2025

Testimony in Support of SB559: The Green Amendment

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Melodie Aduja, and I am testifying on behalf of the Environmental Caucus of the Democratic Party of Hawaii in strong support of SB559, the Green Amendment. This bill proposes a constitutional amendment to recognize and protect the inherent and inalienable right of all people to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.

The Environmental Caucus believes that the protection of our natural resources is not only a moral imperative but also a fundamental right that should be enshrined in our state constitution. The Green Amendment will ensure that future generations inherit a Hawaii that is as beautiful and vibrant as the one we enjoy today.

Key Points of Support:

1. **Environmental Protection:** SB559 will provide a strong legal foundation for the protection of our environment, ensuring that clean water, air, and healthy ecosystems are preserved for all residents of Hawaii.
2. **Public Health:** By safeguarding our natural resources, this amendment will also protect public health. Clean water and air are essential for the well-being of our communities, and this amendment will help prevent environmental degradation that can lead to health issues.
3. **Climate Resilience:** The Green Amendment will support efforts to combat climate change by promoting policies that reduce greenhouse gas emissions and enhance the resilience of our ecosystems to climate impacts.
4. **Cultural Preservation:** Hawaii's natural environment is deeply intertwined with its cultural heritage. Protecting our ecosystems and beaches will help preserve the cultural practices and traditions that are integral to the identity of our islands.

In conclusion, the Environmental Caucus of the Democratic Party of Hawaii strongly supports SB559 and urges the committee to pass this important legislation. By enshrining the right to a healthy environment in our state constitution, we can ensure a sustainable and thriving future for all residents of Hawaii.

Mahalo for the opportunity to testify in support of this critical amendment.

Sincerely,

Melodie Aduja

Co-chair, Environmental Caucus of the Democratic Party of Hawaii

SB-559

Submitted on: 1/25/2025 1:24:46 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

Aloha Chair Gabbard, Vice Chair Richards and Members of Committee,

I am writing today on behalf of the Green Party of Hawai'i. We are in strong support of SB559 ! SB559 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

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.

The Green Amendment is the path forward for all of us, please vote in support of SB559.
Mahalo nui,

Green Party of Hawai'i

Susan RobertsEmery

Co chair GPH

Paauiilo

SB-559

Submitted on: 1/24/2025 10:28:36 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tamra Hayden	Individual	Support	Written Testimony Only

Comments:

I raised 2 beautiful daughters in Hilo and the environment was always an important aspect of our lives. Now I have grandchildren who I want to have the same beautiful and clean environment for them to grow and prosper.. This bill would guarantee that opportunity for all future generations. They should have clean air, clean water and enjoy and live with the beauty of Hawaiian trails and Parks preserved. It should be the right of future generations. I support this bill.

SB-559

Submitted on: 1/24/2025 10:46:05 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harvey Arkin	Individual	Support	Written Testimony Only

Comments:

For my grandchildren vote yes for SB559

SB559 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

-- 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 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.

SB-559

Submitted on: 1/25/2025 10:32:28 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

SB559 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

-- 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 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.

Mahalo,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

SB-559

Submitted on: 1/25/2025 12:42:22 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

A clean and healthy environment is crucial to the individual liberty and common prosperity of the entire state. Being a fragile ecosystem in a remote part of the world, ensuring a clean and healthy environment is crucial to our future. Therefore, I urge the Committee to pass this proposed constitutional amendment.

SB-559

Submitted on: 1/25/2025 12:40:09 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Strong support. Thank you.

SB-559

Submitted on: 1/25/2025 10:58:39 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jordan Smith	Individual	Support	Written Testimony Only

Comments:

This bill is important as both a statement and accountability measure when these rights are abused. Please pass this measure. Mahalo.

SB-559

Submitted on: 1/24/2025 10:55:48 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Fischer	Individual	Support	Written Testimony Only

Comments:

I am strongly in support of SB599

SB-559

Submitted on: 1/25/2025 7:09:41 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

Let's underline our right to a clean healthy environment.

Mahalo,

Bobbie Best

Wailuku

SB-559

Submitted on: 1/27/2025 8:06:24 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Durazzo	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. There is no right to development, "improvements", or pollution.

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 future generations.

SB-559

Submitted on: 1/27/2025 7:04:58 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronald "Ron" Reilly	Individual	Support	Written Testimony Only

Comments:

Strong support for the Green Ammendment.

SB-559

Submitted on: 1/27/2025 6:43:09 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

SB559 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

SB-559

Submitted on: 1/27/2025 12:33:41 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Kunitake	Individual	Support	Written Testimony Only

Comments:

Strong support of SB559

SB-559

Submitted on: 1/26/2025 9:39:50 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Committee Members,

I strongly urge you to SB559 which proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction. We need to protect and invest in our environment which provides for and protects us.

-- 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 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.

Sincerely,

Diane Ware

Volcano Hawai'i 96785

SB-559

Submitted on: 1/25/2025 8:57:34 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

Strong support for this measure.

SB-559

Submitted on: 1/25/2025 9:10:32 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TOM DIGRAZIA	Individual	Support	Written Testimony Only

Comments:

Strongly support!!

SB-559

Submitted on: 1/25/2025 9:26:50 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
nicole tergeoglou	Individual	Support	Written Testimony Only

Comments:

I support SB559

SB-559

Submitted on: 1/26/2025 9:19:04 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenneth Peck	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Gabbard, Vice Chair Richards, and Members of the Committee,

My name is Kenneth Peck, and I am testifying in strong support of SB559, which proposes a constitutional amendment to enshrine the inherent and inalienable right of the people to a clean and healthful environment.

This amendment represents a bold yet necessary step in safeguarding Hawai‘i’s natural and cultural resources for current and future generations.

1. Recognition of Aloha ‘Āina and Cultural Stewardship:

The proposed amendment embodies the Native Hawaiian concept of *Aloha ‘Āina*, or "love of the land," which has long been a guiding principle of environmental stewardship in Hawai‘i. It honors the traditional ecological knowledge and cultural values that have sustained the islands’ natural beauty and resources for generations.

2. Strengthened Environmental Protections:

While Hawai‘i already has some of the strongest environmental protections in the nation, this amendment elevates environmental rights to the level of constitutional recognition. By doing so, it ensures that these rights are not only acknowledged but actively protected, preventing future actions that may degrade Hawai‘i’s environment.

3. Health and Well-Being of the People:

Clean water and air, a healthful environment, and a stable climate are fundamental to the physical, mental, and economic well-being of Hawai‘i’s residents. By guaranteeing these rights, this amendment directly supports public health, enhances quality of life, and fosters resilience in the face of climate challenges.

4. A Legacy for Future Generations:

Hawai‘i’s Constitution already recognizes the importance of the environment in Article XI, Section 1. However, this amendment explicitly asserts the rights of future generations to a clean and healthful environment. As climate change accelerates and environmental degradation intensifies, it is imperative that we enshrine these rights to ensure the sustainable use and preservation of resources for the keiki of tomorrow.

5. Accountability and Legal Recourse:

By establishing these rights as inherent and inalienable, this amendment provides a legal foundation for residents to hold decision-makers accountable for actions that infringe upon their environmental rights. This framework empowers communities to advocate for cleaner, healthier, and more sustainable policies.

6. Alignment with Global Efforts:

Recognizing environmental rights at a constitutional level aligns Hawai‘i with a growing global movement of nations and states prioritizing environmental justice and sustainability. It positions the State as a leader in climate action and environmental stewardship, reflecting the values of its people and its responsibility as a global role model.

Hawai‘i’s unique ecosystems, natural resources, and cultural heritage are treasures that must be preserved and protected. This amendment ensures that the people of Hawai‘i—both present and future generations—have a constitutional guarantee to clean water and air, a healthful environment, healthy ecosystems, and thriving beaches.

I strongly urge the committee to pass SB559 to place this vital constitutional amendment on the ballot and empower Hawai‘i’s people to vote for the future they deserve.

Mahalo for the opportunity to testify on this important measure.

Sincerely,

Kenneth Peck

SB-559

Submitted on: 1/26/2025 7:34:52 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

Aloha committee members of the Senate Agriculture and Environment Committee,

I am submitting testimony in support of this constitutional amendment. I am a native to Kaneohe, Oahu, but with family all over the pae'aina. When we were growing up, it was assumed that we'd always have access to clean water and air, a healthy environment, and native ecosystems and beaches. We assumed that our laws and governing systems would protect these for future generations. These are all threatened by overpopulation, military practices and poor management of human activities, and overdevelopment of our islands. It is sad that we need to ensure these are protected from harm from our current economic and social systems, but that is the reality we are living in.

I stand in full support of this amendment, and hope that this helps to protect our land, environment, and life in Hawaii. Let's protect the environment, and put it before profits for corporations and businesses. Let's protect the environment, so the people of Hawaii will be able to thrive here in Hawaii. Without the environment, there will be no people here. We can't eat dollars, we can't drink wealth, we can't sleep in a polluted air, and we can't live in a place without clean water.

Mahalo for your time and consideration.

SB-559

Submitted on: 1/25/2025 2:25:42 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Georgia L Hoopes	Individual	Support	Written Testimony Only

Comments:

STRONGLY SUPPORT SB559

Aloha Senators. I'm writing to ask that you support SB559. The Water Protectors got it right. Regulation is not working and regulatory agencies are being dismantled in favor of corporate interests.

SB559 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

Mahalo for your consideration.

Georgia Hoopes, Kalaheo

SB-559

Submitted on: 1/25/2025 2:37:13 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Yes to: Proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

SB-559

Submitted on: 1/25/2025 2:37:27 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Faccenda	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure to ensure the future generations have access to safe places to live and plentiful natural resources.

SB-559

Submitted on: 1/25/2025 5:43:26 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MissT	Individual	Support	Written Testimony Only

Comments:

The Green Amendment strongly supported to ensure the inherent and inalienable right of the people including future generations to clean water and air, a healthy environment and climate, and healthy native ecosystems and beaches.

SB-559

Submitted on: 1/26/2025 9:05:55 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victoria Anderson	Individual	Support	Written Testimony Only

Comments:

More than ever in these times when ecosystems and our climate are facing destruction, we must protect the inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches. We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives.

Mahalo,

Victoria Anderson

SB-559

Submitted on: 1/25/2025 8:33:03 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Support	Written Testimony Only

Comments:

Aloha and mahalo for hearing this bill!

I am in strong support for myself and my keiki.

mahalo nui,

Shannon Matson

Hawai'i Island Resident

SB-559

Submitted on: 1/25/2025 11:32:35 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JON BRODZIAK	Individual	Support	Written Testimony Only

Comments:

Dear Chair Gabbard and Members of the Agriculture and Environment Committee,

I am writing in strong support of SB559, which seeks to secure for the people of Hawai‘i and future generations the inalienable right to clean water, pure air, a healthy environment, and healthy ecosystems. In these times of environmental degradation and climate crisis, these fundamental rights need constitutional recognition and protection to ensure their preservation for generations to come.

The threats to our environment are mounting, yet the current framework often treats environmental concerns as secondary considerations in policy and planning. SB559 calls for a much-needed shift: to prioritize environmental health and impacts at the start of decision-making processes. This amendment ensures that the rights of all people, present and future, are safeguarded by embedding environmental protection into the very foundation of governance.

Clean water, clean air, and a stable climate are essential to a good quality of life. These rights deserve to be protected as firmly and powerfully as the other fundamental rights we cherish. By adopting SB559, we honor our responsibility to our communities, to future generations, and to the land itself, ensuring that Hawai‘i’s natural resources remain vibrant and resilient.

Thank you for your consideration, and I urge you to support SB559.

Yours sincerely,

Jon Brodziak

SB-559

Submitted on: 1/26/2025 3:07:05 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

I support bill SB559 to protect our health, environment, and climate.

SB-559

Submitted on: 1/26/2025 2:13:21 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elena Vorm	Individual	Support	Written Testimony Only

Comments:

For-profit institutions aren't looking out for the basic rights of Hawaiian people, and we therefore need futher protections. The right to a clean and healthy environment should be inalienable to all. I strongly support this bill.

SB-559

Submitted on: 1/26/2025 11:56:36 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lana Brodziak	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Gabbard and Members of the Agriculture and Environment Committee,

I strongly support of SB559. This bill seeks to secure for the people of Hawaii and future generations the inalienable right to a healthy environment and healthy ecosystems. In these times of environmental degradation and climate crisis, these fundamental rights need constitutional recognition and protection to ensure their preservation for generations to come.

SB559 calls for a much-needed shift: to prioritize environmental health and impacts at the start of decision-making processes. This amendment ensures that the rights of all people, present and future, are safeguarded by embedding environmental protection into the very foundation of governance.

By adopting SB559, we honor our responsibility to our communities, to future generations, and to the land itself, ensuring that Hawaii's natural resources remain vibrant and resilient.

I urge you to support SB559. Mahalo!

SB-559

Submitted on: 1/26/2025 1:14:43 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Taurie Kinoshita	Individual	Support	Written Testimony Only

Comments:

To the Honorable Committee,

I am writing in strong support of SB559.

This bill would 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. With no oversight or protections from the federal government, this bill is more important than ever.

Please pass SB559.

Thank you for your consideration.

Sincerely,

Taurie Kinoshita

SB-559

Submitted on: 1/26/2025 5:35:20 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Gorman-Chang	Testifying for Trinity United Methodist Church	Support	Written Testimony Only

Comments:

An integral belief of the United Methodist Church is that we are stewards of God's creation and responsible for how we use or abuse our one and only planet Earth. This Green Amendment will codify in the Hawai'i constitution the core value regarding the rights of the people, present and future generations, to clean air, 'wai and 'aina.

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Hearing on Jan. 27, 2025 at 1:00 pm

SUPPORTING SB 559

My name is John Kawamoto, and I support this bill because it closes a loophole of accountability in Hawaii's Constitution. Article XI, Section 9 of the Hawaii Constitution grants each person the right to a clean and healthful environment. However, that right is limited to those protections established by legislation. The right does not extend, for example, when environmental degradation has occurred due to negligence because no legislation was enacted to prevent it.

This bill proposes a Constitutional amendment that unconditionally grants the right of a clean and healthful environment to each person. State government is the steward of Hawaii's environment. It has the authority to regulate activities on all of the lands and waters that comprises Hawaii through statutes, rules, and regulations. This bill makes State government accountable.

I urge the committee to pass this bill.

SB-559

Submitted on: 1/26/2025 2:17:50 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

A clean and healthful environment should be the birthright of every human being. In addition, in Hawaii, this is the basis of our economy, culture, and lifestyle. Please encode this into our constitution.

SB-559

Submitted on: 1/27/2025 10:32:53 AM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

*I am writing in **STRONG SUPPORT** of [SB559](#) the “**GREEN AMENDMENT**”*

[SB559](#) proposes a constitutional amendment to ensure the inherent and inalienable right of the people, *including future generations*, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.

WHY IS THIS IMPORTANT?

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. This bill would 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.

BOTTOMLINE: If you want a **right to a clean and healthy environment** you have to put it in the bill of rights. This is what the Green Amendment would do.