
A BILL FOR AN ACT

RELATING TO SUSTAINABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act shall be known and cited as the
2 "Hawaii Sustainability Act."

3 SECTION 2. The legislature finds that not only is climate
4 change real and occurring, but it is also the overriding
5 challenge of the twenty-first century and one of the priority
6 issues of the State. Climate change poses immediate and long-
7 term threats to the State's economy, sustainability, security,
8 and way of life.

9 The legislature recognized in Act 8, Special Session Laws
10 of Hawaii 2005, that "many quality-of-life issues, including
11 water quality, air quality, land use, energy, and ocean
12 resources, are important to the people of Hawaii and should be
13 the focus for planning Hawaii's future" and created the Hawaii
14 2050 task force and the Hawaii 2050 sustainability plan to
15 "coordinate the actions needed to sustain a growing and vibrant
16 economy, while maintaining a high quality of life for all
17 residents and visitors".



1 The legislature recognized in Act 181, Session Laws of
2 Hawaii 2011, that the "creation of the Hawaii 2050
3 sustainability plan comes as the State faces a growing number of
4 pressing issues, including the steady deterioration of public
5 infrastructure, the lack of affordable housing, a continued
6 reliance on a service-based economy, the vulnerability of Hawaii
7 in a volatile global energy market, possible interruptions in
8 travel and to critical food supplies, threats to fragile island
9 ecosystems, ever-increasing numbers of residents, and an
10 increasing number of visitors over the long-term. These issues
11 all raise questions about the long-term limits of growth in the
12 State and highlight the need to begin planning and acting to
13 assure Hawaii's future."

14 The purpose of this Act is to establish a stronger policy
15 framework for Hawaii's sustainability efforts, including an
16 office of sustainability to ensure long-term planning,
17 coordination, and implementation of Hawaii's sustainability
18 goals and policies.

19 SECTION 3. The Hawaii Revised Statutes is amended by
20 adding a new chapter to be appropriately designated and to read
21 as follows:



"CHAPTER

HAWAII SUSTAINABILITY ACT; OFFICE OF SUSTAINABILITY;

STATE SUSTAINABILITY SPECIAL FUND

§225- Definitions. As used in this chapter:

"Director" means the director of the office of sustainability.

"Office" means the office of sustainability.

"Sustainability" means using, developing, and protecting resources in a manner that enables individuals to meet current needs and ensures that future generations can also meet their needs, from the joint perspective of environmental, economic, and community objectives.

§225- Findings and goals regarding sustainability. In addition to the priority guidelines and principles to promote sustainability set forth in section 226-108, the following criteria shall be the goals for the State regarding sustainability:

(1) In conducting internal operations, state agencies shall, in cooperation with the office of sustainability and the state sustainability coordinator, seek to achieve the following objectives:



- 1 (A) State purchases shall be made in a manner that
2 serves the broad, long-term financial interests
3 of the State, including ensuring that
4 environmental, economic, and societal
5 improvements are made to enhance environmental,
6 economic, and societal well-being;
- 7 (B) Investments in facilities, equipment, and durable
8 goods shall reflect the highest feasible
9 efficiency and lowest life-cycle costs;
- 10 (C) Investments and expenditures shall promote
11 improvements in the efficient use of energy,
12 water, and other resources;
- 13 (D) State operations shall be located in diverse
14 locations, including rural and economically
15 distressed communities;
- 16 (E) State operations and purchases shall help
17 maintain vital and active urban communities,
18 including downtowns;
- 19 (F) State purchases shall support opportunities for
20 economically distressed communities and
21 historically underemployed individuals;



1 (G) State operations shall reflect partnerships with
2 communities and businesses;

3 (H) State operations shall help reduce adverse
4 effects on native habitats and species and help
5 restore ecological processes;

6 (I) State operations shall be conducted in ways that
7 significantly increase the efficient use of
8 energy, water, and other resources; and

9 (J) State operations and purchases shall reflect the
10 efficient use and reuse of resources and
11 reduction of contaminants released into the
12 environment;

13 (2) In supporting sustainable communities, state agencies
14 shall seek to enable and encourage local communities
15 to achieve the following objectives:

16 (A) Resilient local economies that provide a
17 diversity of economic opportunities for all
18 residents;

19 (B) Workers supported by lifelong education to ensure
20 a globally competitive workforce;

21 (C) An independent and productive citizenry;



- 1 (D) Youth supported by strong families and
2 communities;
- 3 (E) Urban communities, including downtowns, that are
4 active and vital;
- 5 (F) Development that wisely and efficiently uses
6 infrastructure investments and natural resources;
- 7 (G) Affordable housing available for residents in
8 community centers;
- 9 (H) Healthy urban and rural watersheds, including
10 habitats for fish and wildlife;
- 11 (I) Clean and sufficient water for all uses; and
- 12 (J) Efficient use and reuse of resources and
13 minimization of harmful emissions into the
14 environment; and
- 15 (3) Intensification of efforts to increase the economic
16 stability of communities designated as economically
17 distressed.

18 §225- Office of sustainability; established. (a) There
19 is established within the department of business, economic
20 development, and tourism an office of sustainability to increase
21 economic development, while developing and protecting resources



1 in a manner that enables individuals to meet current needs and
2 ensures that future generations can also meet their needs, from
3 the joint perspective of environmental, economic, and community
4 objectives through collaboration and cooperation between the
5 public and private sectors.

6 (b) The office of sustainability shall be headed by a
7 director. The director shall possess:

- 8 (1) Training in the field of urban and regional planning,
9 public administration, or other related fields;
10 (2) Experience in programs or services related to
11 governmental planning, sustainability planning, and
12 planning coordination; and
13 (3) Experience in a supervisory or administrative
14 capacity.

15 The director shall be appointed by the governor without regard
16 to chapter 76 and shall be compensated at a rate determined by
17 the governor.

18 (c) The director shall be included in any benefit program
19 generally applicable to officers and employees of the State.

20 The director shall hire such staff as may be necessary for the
21 purposes of this chapter, in accordance with chapter 76.



1 §225- Office of sustainability; duties. The office of
2 sustainability:

3 (1) Shall create a strategic plan that includes:

4 (A) Objectives and goals for the office and criteria
5 to measure the goals;

6 (B) The necessary finances to establish and maintain
7 the office;

8 (C) Potential public-private sustainability projects
9 that meet the office's goals and objectives; and

10 (D) The necessary finances to develop, implement, and
11 maintain the potential public-private projects;

12 (2) Shall gather, analyze, and provide information to the
13 governor to assist in the overall analysis and
14 formulation of state policies and strategies to
15 provide central coordination and cohesion in the
16 allocation of resources and effectuation of state
17 activities and programs, and effectively address
18 current or emerging sustainability issues and
19 opportunities;

20 (3) Shall identify, evaluate, make recommendations
21 regarding, and propose legislation, regulatory



1 changes, or policy modifications to the governor, the
2 legislature, government agencies, private entities,
3 and other bodies for the purpose of encouraging
4 activities that best sustain, protect, and enhance the
5 quality of the environment, economy, and community for
6 the present and future benefit of the people of
7 Hawaii;

8 (4) Shall develop and promote policies and programs that
9 assist in the meeting of sustainability goals
10 established in this chapter and the priority
11 guidelines and principles to promote sustainability
12 set forth in section 226-108;

13 (5) Shall submit to the legislature an annual report on
14 the office's activities and policy recommendations no
15 later than twenty days prior to the convening of each
16 regular session;

17 (6) May apply for and accept, from whatever source,
18 appropriations, gifts or grants of money, or other
19 property;

20 (7) Shall consult with and seek comment from trade
21 associations, organizations, businesses, and other



1 groups and individuals representing pertinent
2 interests as part of developing its recommendations;
3 (8) Shall develop and promote proposals that jointly and
4 mutually enhance local economies, the environment, and
5 community health for the present and future benefit of
6 the people of Hawaii; and

7 (9) May contract with public agencies and private entities
8 and persons for special research and sustainability
9 planning assistance.

10 Nothing in this section shall be construed to discourage or
11 prohibit any person or organization from discussing or proposing
12 mechanisms, including the modification of tax policies, to
13 promote sustainability.

14 **§225- Office of sustainability; cooperation.** The office
15 of sustainability shall seek the widest possible cooperation
16 from public agencies, including the federal government, as well
17 as private entities and individuals to achieve the purposes of
18 this chapter. It shall work closely with and assist the
19 counties in the promotion of coordinated state and county
20 sustainability planning.



1 Every federal, state, or county agency, and every private
2 entity or individual that provides sustainability planning
3 programs and services shall be encouraged to participate
4 actively in the activities of the office. The executive heads
5 of all state departments and agencies shall cooperate with the
6 office by providing information to it, as the governor and the
7 director of business, economic development, and tourism deem
8 necessary for the effective discharge of its duties.

9 Nothing in this section shall be construed to delegate or
10 detract in any way from the functions, powers, and duties
11 conferred by law on any department or agency of the State or
12 county.

13 **§225- State sustainability special fund.** (a) There is
14 established the state sustainability special fund, into which
15 shall be deposited the following moneys:

- 16 (1) Investment earnings, gifts, donations, or other income
17 received by the office of sustainability;
18 (2) Any rebates, grants, or incentives associated with
19 sustainability measures; and
20 (3) Capital appropriations for sustainability measures.



1 (b) Moneys in the state sustainability special fund shall
2 be used to support:

3 (1) The work and operations of the office of
4 sustainability; and

5 (2) Sustainability initiatives, projects, and services.

6 (c) The department of business, economic development, and
7 tourism shall adopt rules in accordance with chapter 91 to
8 implement this section."

9 SECTION 4. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$2,000,000 or so much
11 thereof as may be necessary for fiscal year 2018-2019 to be
12 deposited into the state sustainability special fund.

13 SECTION 5. There is appropriated out of the state
14 sustainability special fund the sum of \$2,000,000 or so much
15 thereof as may be necessary for fiscal year 2018-2019 to:

16 (1) Establish and hire a full-time equivalent (1.00 FTE)
17 director of the office of sustainability position
18 pursuant to this Act; provided that the sustainability
19 coordinator position shall be transferred from the
20 office of planning;



(2) Establish and hire one full-time equivalent (1.00 FTE) sustainability planning administrator position; provided that the position may be added to the position count for the department of business, economic development, and tourism;

(3) Establish and fill four full-time equivalent (4.00 FTE) planner V positions; provided that the positions may be added to the position count for the department of business, economic development, and tourism;

(4) Establish and fill one full-time equivalent (1.00 FTE) secretary III position; provided that the position may be added to the position count for the department of business, economic development, and tourism; and

(5) Establish and operate the office of sustainability.

The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

SECTION 6. This Act shall take effect on July 1, 2018.

INTRODUCED BY:



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JAN 23 2018



H.B. NO. 2547

Report Title:

Hawaii Sustainability Act; Office of Sustainability

Description:

Establishes the Hawaii Sustainability Act, including the Office of Sustainability and the State Sustainability Fund.

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