

JAN 19 2018

A BILL FOR AN ACT

RELATING TO SUSTAINABILITY.

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

1 PART I

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

4 SECTION 2. The legislature finds that not only is climate
5 change real, but it is the overriding challenge of the 21st
6 century and one of the priority issues of the State. Climate
7 change poses immediate and long-term threats to the State's
8 economy, sustainability, security, 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 sustainability task force and the Hawaii 2050
15 sustainability plan to "coordinate the actions needed to sustain
16 a growing and vibrant economy, while maintaining a high quality
17 of life for all 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 sustainable future.

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



PART II

SECTION 3. Chapter 225, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"PART . HAWAII SUSTAINABILITY ACT

§225-A Definitions. As used in this part, unless the context otherwise requires:

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

§225-B Findings and goals regarding sustainability.

In addition to the priority guidelines and principles to promote sustainability established under section 226-108, the following will be the goals for the State of Hawaii regarding sustainability:

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



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



(G) State operations should reflect partnerships with communities and businesses;

(H) State operations should help reduce adverse impacts on native habitats and species and help restore ecological processes;

(I) State operations should be conducted in ways that significantly increase the efficient use of energy, water, and resources; and

(J) State operations and purchases should reflect the efficient use and reuse of resources and reduction of contaminants released into the environment;

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

(A) Resilient local economies that provide a diversity of economic opportunities for all citizens;

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

(C) An independent and productive citizenry;



- (D) Youth supported by strong families and communities;
 - (E) Downtowns and main street communities that are active and vital;
 - (F) Development that wisely and efficiently uses infrastructure investments and natural resources;
 - (G) Affordable housing available for citizens in community centers;
 - (H) Healthy urban and rural watersheds, including habitats for fish and wildlife;
 - (I) Clean and sufficient water for all uses; and
 - (J) Efficient use and reuse of resources and minimization of harmful emissions to the environment; and
- (3) Intensification of efforts to increase the economic stability of communities designated as economically distressed.

§225-C Office of sustainability; established. (a) There is established within the department of business, economic development, and tourism an office of sustainability to increase economic development, while developing and protecting resources in a manner that enables people to meet current needs and



1 provides that future generations can also meet future needs,
2 from the joint perspective of environmental, economic, and
3 community objectives in the State through collaboration between
4 the public and private sectors.

5 (b) The head of the office shall be known as the director
6 of the office of sustainability, hereinafter referred to as
7 "director." The director shall have training in the field of
8 urban and regional planning, public administration, or other
9 related fields; experience in programs or services related to
10 governmental planning, sustainability planning, and
11 coordination; and experience in a supervisory or administrative
12 capacity. The director shall be appointed by the governor
13 without regard to chapter 76, and shall be compensated at an
14 equitable salary level set by the governor.

15 (c) The director shall be included in any benefit program
16 generally applicable to the officers and employees of the State.
17 The director shall retain such staff as may be necessary for the
18 purposes of this chapter, in conformity with chapter 76.

19 **§225-D Duties.** The office of sustainability shall:

20 (1) Create a strategic plan that includes:

21 (A) Objectives and goals for the office and criteria
22 to measure the goals;



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

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

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

(2) Gather, analyze, and provide information to the governor to assist in the overall analysis and formulation of state policies and strategies to provide central coordination and cohesion in the allocation of resources and effectuation of state activities and programs, and effectively address current or emerging sustainability issues and opportunities;

(3) Identify, evaluate, make recommendations, and propose legislation, regulatory changes, or policy modifications to agencies, the governor, the legislature, private entities, or other bodies for the purpose of encouraging activities that best sustain, protect, and enhance the quality of the environment, economy, and community for the present and future benefit of the people of Hawaii;



- 1 (4) Develop and promote policies and programs that will
2 assist in the meeting of sustainability goals
3 established in this chapter and the sustainability
4 priority guidelines and principles referenced in
5 section 226-108;
- 6 (5) Submit an annual report to the legislature on the
7 office's activities and policy recommendations no
8 later than twenty days prior to the convening of each
9 regular session;
- 10 (6) Be authorized to apply for and accept, from any
11 source, appropriations, gifts, or grants of money or
12 other property;
- 13 (7) Consult with and seek comment from trade associations,
14 organizations, businesses, and other groups and
15 individuals representing pertinent interests as part
16 of developing recommendations;
- 17 (8) Develop and promote proposals that jointly and
18 mutually enhance local economies, the environment, and
19 community health for the present and future benefit of
20 the people of Hawaii; and



(9) Be authorized to contract with public and private agencies and persons for special research and sustainability planning assistance.

Nothing in this section shall be meant to discourage or prohibit any person, group, or committee from discussing or proposing mechanisms, including the modification of tax policies, to promote sustainability.

§225-E Cooperation. (a) The office of sustainability shall seek the widest possible cooperation from the public and private agencies and individuals and the federal government to achieve the purposes of this part. The office shall work closely with and assist the counties in the promotion of coordinated state and county sustainability planning.

(b) Every state department, county agency, or other public or private agencies or individual providing sustainability planning programs and services shall be encouraged to participate actively in the activities of the office of sustainability. The executive heads of all state departments and agencies shall cooperate with the office of sustainability by providing information as the governor and the director of the business, economic development, and tourism deem necessary for the effective discharge of its duties.



(c) Nothing in this part shall be deemed to delegate or detract in any way from the functions, powers, and duties conferred by law on any department or agency of the State or county.

§225-F State sustainability fund. (a) There is established a state sustainability fund, into which may be deposited:

(1) Investment earnings, gifts, donations, or other income received by the office of sustainability;

(2) Any rebates, grants, or incentives associated with sustainability measures; and

(3) Capital appropriations for sustainability measures.

(b) Moneys in the office of sustainability's state sustainability fund shall be used to support sustainability initiatives, projects, and services.

PART III

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,000,000 or so much thereof as may be necessary for fiscal year 2018-2019 to:

(1) Establish and fill one full-time equivalent (1.00 FTE) state office of sustainability director position pursuant to this Act; provided that the sustainability



1 coordinator position is transferred from the office of
2 planning;

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

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

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

16 (5) Establish and operate the office of sustainability.

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

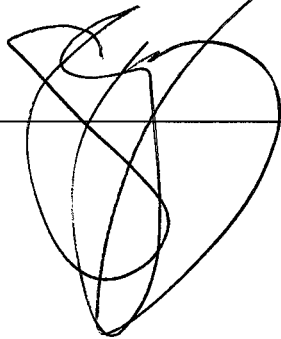


PART IV

1 SECTION 5. This Act shall take effect on July 1, 2018.

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INTRODUCED BY:

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S.B. NO. 2709

Report Title:

Office of Sustainability; Hawaii Sustainability Act;
Appropriation

Description:

Establishes sustainability goals for the State. Establishes and appropriates funds for an Office of Sustainability.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

