
A BILL FOR AN ACT

RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION.

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

1 SECTION 1. The legislature finds that, unlike most states,
2 Hawaii has no executive-level department dedicated to the
3 mission of environmental protection and implementing the
4 environmental policy goals enacted by the legislature. Instead,
5 these functions are dispersed among multiple departments having
6 differing missions that either do not focus on the importance of
7 environmental protection or have internal conflicts.

8 The legislature further finds that because the ongoing
9 climate crisis is one of the overarching issues of modern times,
10 the protection of the State's environment and natural resources
11 is more critical than ever. Although almost all issues are
12 multi-jurisdictional, the legislature believes that creating an
13 executive-level department to unite this important work under
14 one administrative umbrella will lead to greater efficiency in
15 addressing Hawaii's environmental issues in a timely and
16 proactive fashion.

17 The purpose of this Act is to:



1 (1) Establish a firm deadline by which a department of
2 environmental protection shall be created; and

3 (2) Create a department of environmental protection
4 working group to address the logistics of fulfilling
5 this mandate.

6 SECTION 2. Section 26-4, Hawaii Revised Statutes, is
7 amended to read as follows:

8 **"§26-4 Structure of government.** Under the supervision of
9 the governor, all executive and administrative offices,
10 departments, and instrumentalities of the state government and
11 their respective functions, powers, and duties shall be
12 allocated among and within the following principal departments
13 that are hereby established:

14 (1) Department of human resources development (Section
15 26-5)

16 (2) Department of accounting and general services (Section
17 26-6)

18 (3) Department of the attorney general (Section 26-7)

19 (4) Department of budget and finance (Section 26-8)

20 (5) Department of commerce and consumer affairs (Section
21 26-9)



- 1 (6) Department of taxation (Section 26-10)
- 2 (7) University of Hawaii (Section 26-11)
- 3 (8) Department of education (Section 26-12)
- 4 (9) Department of health (Section 26-13)
- 5 (10) Department of human services (Section 26-14)
- 6 (11) Department of land and natural resources (Section
- 7 26-15)
- 8 (12) Department of agriculture (Section 26-16)
- 9 (13) Department of Hawaiian home lands (Section 26-17)
- 10 (14) Department of business, economic development, and
- 11 tourism (Section 26-18)
- 12 (15) Department of transportation (Section 26-19)
- 13 (16) Department of labor and industrial relations (Section
- 14 26-20)
- 15 (17) Department of defense (Section 26-21)
- 16 (18) Department of public safety (Section 26-14.6) [–]
- 17 (19) Department of environmental protection (Section
- 18 26-) ."

19 SECTION 3. (a) There is established a department of
20 environmental protection working group.



1 (b) The working group shall address the logistics required
2 for the State to establish a department of environmental
3 protection by July 1, 2026, including but not limited to
4 developing:

5 (1) An organizational and functional plan, including
6 recommendations on the implementation, structure, and
7 funding for the department; and

8 (2) A plan for the orderly transition and transfer of
9 existing departmental functions, authority, records,
10 and resources necessary for the establishment of the
11 department.

12 (c) The working group shall consist of the following
13 individuals:

14 (1) The chief energy officer, or the chief energy
15 officer's designee;

16 (2) The chairperson of the board of land and natural
17 resources, or the chairperson's designee;

18 (3) The director of the office of planning and sustainable
19 development, or the director's designee;

20 (4) A representative of the office of the governor;



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- 1 (5) The attorney general, or the attorney general's
2 designee; and
3 (6) The director of health, or the director's designee.
4 (d) The working group shall prepare and submit a report of
5 its findings and recommendations, including any proposed
6 legislation, to the legislature no later than twenty days prior
7 to the convening of the regular session of 2025.

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect upon its approval;
11 provided that section 2 shall take effect on July 1, 2026.

12

INTRODUCED BY: *Nick E. Lowe*
JAN 25 2022



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Report Title:

Working Group; Department of Environmental Protection;
Recommendations

Description:

Establishes a department of environmental protection by July 1, 2026. Creates a department of environmental protection working group to address the logistics required for the State to establish a department of environmental protection. Requires the working group to submit a report to the legislature prior to the 2025 regular session.

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