
A BILL FOR AN ACT

RELATING TO CLIMATE CHANGE.

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

1 SECTION 1. The legislature finds that the office of
2 planning and sustainable development, rather than the department
3 of land and natural resources, is best equipped to effectively
4 administer the Hawaii climate change mitigation and adaptation
5 commission. The office of planning and sustainable development
6 is responsible for supporting the principles of the State
7 Planning Act, including state priorities for climate change
8 adaptation, and leads the State's coordination of sea level rise
9 adaptation activities.

10 The legislature further finds that the office of planning
11 and sustainable development is charged with coordinating
12 activities across levels of government and ensuring cooperation
13 to reach the State's goals. The legislature recognizes that
14 comprehensive, coordinated action is necessary to combat the
15 impacts of climate change.

16 Accordingly, to promote public safety, efficiency, and
17 effectiveness, the purpose of this Act is to transfer the Hawaii



1 climate change mitigation and adaptation commission from the
2 department of land and natural resources to the office of
3 planning and sustainable development for administrative
4 purposes.

5 SECTION 2. Section 225P-3, Hawaii Revised Statutes, is
6 amended as follows:

7 1. By amending subsection (a) to read:

8 "(a) There is established the Hawaii climate change
9 mitigation and adaptation commission that shall be placed within
10 the ~~[department of land and natural resources]~~ office of
11 planning and sustainable development for administrative purposes
12 only."

13 2. By amending subsection (c) to read:

14 "(c) The commission shall include the following members:

15 (1) The chairs of the standing committees of the
16 legislature with subject matter jurisdiction
17 encompassing environmental protection and land use;

18 (2) The chairperson of the board of land and natural
19 resources or the chairperson's designee, who shall be
20 the co-chair of the commission;



- 1 (3) The director of the office of planning and sustainable
2 development or the director's designee, who shall be
3 the co-chair of the commission;
- 4 (4) The director of business, economic development, and
5 tourism or the director's designee;
- 6 (5) The chairperson of the board of directors of the
7 Hawaii tourism authority or the chairperson's
8 designee;
- 9 (6) The chairperson of the board of agriculture or the
10 chairperson's designee;
- 11 (7) The chief executive officer of the office of Hawaiian
12 affairs or the officer's designee;
- 13 (8) The chairperson of the Hawaiian homes commission or
14 the chairperson's designee;
- 15 (9) The director of transportation or the director's
16 designee;
- 17 (10) The director of health or the director's designee;
- 18 (11) The adjutant general or the adjutant general's
19 designee;
- 20 (12) The chairperson of the board of education or the
21 chairperson's designee;



1 (13) The directors of each of the county planning
2 departments, or the directors' designees; and

3 (14) ~~[The manager of the coastal zone management program.]~~
4 A representative of the university of Hawaii."

5 SECTION 3. All rights, powers, functions, and duties of
6 the department of land and natural resources relating to the
7 administration of the Hawaii climate change mitigation and
8 adaptation commission are transferred to the office of planning
9 and sustainable development.

10 All officers and employees whose functions are transferred
11 by this Act shall be transferred with their functions and shall
12 continue to perform their regular duties upon their transfer,
13 subject to the state personnel laws and this Act.

14 No officer or employee of the State having tenure shall
15 suffer any loss of salary, seniority, prior service credit,
16 vacation, sick leave, or other employee benefit or privilege as
17 a consequence of this Act, and such officer or employee may be
18 transferred or appointed to a civil service position without the
19 necessity of examination; provided that the officer or employee
20 possesses the minimum qualifications for the position to which
21 transferred or appointed; and provided that subsequent changes



1 in status may be made pursuant to applicable civil service and
2 compensation laws.

3 An officer or employee of the State who does not have
4 tenure and who may be transferred or appointed to a civil
5 service position as a consequence of this Act shall become a
6 civil service employee without the loss of salary, seniority,
7 prior service credit, vacation, sick leave, or other employee
8 benefits or privileges and without the necessity of examination;
9 provided that such officer or employee possesses the minimum
10 qualifications for the position to which transferred or
11 appointed.

12 If an office or position held by an officer or employee
13 having tenure is abolished, the officer or employee shall not
14 thereby be separated from public employment, but shall remain in
15 the employment of the State with the same pay and classification
16 and shall be transferred to some other office or position for
17 which the officer or employee is eligible under the personnel
18 laws of the State as determined by the head of the department or
19 the governor.

20 SECTION 4. All appropriations, records, equipment,
21 machines, files, supplies, contracts, books, papers, documents,



1 maps, and other personal property heretofore made, used,
2 acquired, or held by the department of land and natural
3 resources relating to the functions transferred to the office of
4 planning and sustainable development shall be transferred with
5 the functions to which they relate.

6 SECTION 5. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect on January 1, 2050.



Report Title:

OPSD; DLNR; Hawaii Climate Change Mitigation and Adaptation
Commission; UH; Membership; Transfer

Description:

Transfers the Hawaii Climate Change Mitigation and Adaptation
Commission from the Department of Land and Natural Resources to
the Office of Planning and Sustainable Development for
administrative purposes. Removes the manager of the Coastal
Zone Management Program from the Commission. Adds a
representative from the University of Hawaii to the Commission.
Effective 1/1/2050. (SD1)

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not legislation or evidence of legislative intent.*

