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# 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, amended by Act 210, Session Laws of Hawaii 2006,  
11 that "many quality-of-life issues, including water quality, air  
12 quality, land use, energy, and ocean resources, are important to  
13 the people of Hawaii and should be the focus for planning  
14 Hawaii's future" and created the Hawaii 2050 task force and the  
15 Hawaii 2050 sustainability plan to "coordinate the actions  
16 needed to sustain a growing and vibrant economy, while



1 maintaining a high quality of life for all residents and  
2 visitors."

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

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



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

4 "CHAPTER

5 HAWAII SUSTAINABILITY ACT; OFFICE OF SUSTAINABILITY;

6 STATE SUSTAINABILITY SPECIAL FUND

7 § -1 Definitions. As used in this chapter:

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

10 "Office" means the office of sustainability.

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

16 § -2 Findings and goals regarding sustainability. In  
17 addition to the priority guidelines and principles to promote  
18 sustainability set forth in section 226-108, the following  
19 criteria shall be the goals for the State regarding  
20 sustainability:



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

5           (A) State purchases shall be made in a manner that  
6           serves the broad, long-term financial interests  
7           of the State, including ensuring that  
8           environmental, economic, and societal  
9           improvements are made to enhance environmental,  
10          economic, and societal well-being;

11          (B) Investments in facilities, equipment, and durable  
12          goods shall reflect the highest feasible  
13          efficiency and lowest life-cycle costs;

14          (C) Investments and expenditures shall promote  
15          improvements in the efficient use of energy,  
16          water, and other resources;

17          (D) State operations shall be located in diverse  
18          locations, including rural and economically  
19          distressed communities;



- 1 (E) State operations and purchases shall help
- 2 maintain vital and active urban communities,
- 3 including downtown areas;
- 4 (F) State purchases shall support opportunities for
- 5 economically distressed communities and
- 6 historically underemployed individuals;
- 7 (G) State operations shall reflect partnerships with
- 8 communities and businesses;
- 9 (H) State operations shall help reduce adverse
- 10 effects on native habitats and species and help
- 11 restore ecological processes;
- 12 (I) State operations shall be conducted using methods
- 13 to significantly increase the efficient use of
- 14 energy, water, and other resources; and
- 15 (J) State operations and purchases shall reflect the
- 16 efficient use and reuse of resources and
- 17 reduction of contaminants released into the
- 18 environment;
- 19 (2) In supporting sustainable communities, state agencies
- 20 shall seek to enable and encourage local communities
- 21 to achieve the following objectives:



- 1 (A) Resilient local economies that provide a  
2 diversity of economic opportunities for all  
3 residents;
- 4 (B) Workers supported by lifelong education that will  
5 ensure a globally competitive workforce;
- 6 (C) An independent and productive citizenry;
- 7 (D) Youth supported by strong families and  
8 communities;
- 9 (E) Urban communities, including downtown areas, that  
10 are active and vital;
- 11 (F) Development that wisely and efficiently uses  
12 infrastructure investments and natural resources;
- 13 (G) Affordable housing available for residents in  
14 community centers;
- 15 (H) Healthy urban and rural watersheds, including  
16 habitats for fish and wildlife;
- 17 (I) Clean and sufficient water for all uses; and
- 18 (J) Efficient use and reuse of resources and  
19 minimization of harmful emissions into the  
20 environment; and



1           (3)    Intensification of efforts to increase the economic  
2                    stability of communities designated as economically  
3                    distressed.

4           §   -3   **Office of sustainability; established.**   (a)   There  
5   is established within the department of business, economic  
6   development, and tourism, an office of sustainability to  
7   increase economic development, while developing and protecting  
8   resources in a manner that enables individuals to meet current  
9   needs and ensures that future generations can also meet their  
10   needs, from the joint perspective of environmental, economic,  
11   and community objectives through collaboration and cooperation  
12   between the public and private sectors.

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

15           (1)   Training in the field of urban and regional planning,  
16                    public administration, or other related fields;

17           (2)   Experience in programs or services related to  
18                    governmental planning, sustainability planning, and  
19                    planning coordination; and

20           (3)   Experience in a supervisory or administrative  
21                    capacity.



1 The director shall be appointed by the governor without regard  
2 to chapter 76 and shall be compensated at a rate determined by  
3 the governor.

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

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

8 § -4 Office of sustainability; duties. (a) The office  
9 of sustainability:

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

11 (A) Objectives and goals for the office and criteria  
12 to measure the goals;

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

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

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

19 (2) Shall gather, analyze, and provide information to the  
20 governor to assist in the overall analysis and  
21 formulation of state policies and strategies to



1 provide central coordination and cohesion in the  
2 allocation of resources and effectuation of state  
3 activities and programs, and effectively address  
4 current or emerging sustainability issues and  
5 opportunities;

6 (3) Shall identify, evaluate, make recommendations  
7 regarding, and propose legislation, regulatory  
8 changes, or policy modifications to the governor, the  
9 legislature, government agencies, private entities,  
10 and other bodies for the purpose of encouraging  
11 activities that best sustain, protect, and enhance the  
12 quality of the environment, economy, and community for  
13 the present and future benefit of the people of  
14 Hawaii;

15 (4) Shall develop and promote policies and programs that  
16 assist in the meeting of sustainability goals  
17 established in this chapter and the priority  
18 guidelines and principles to promote sustainability  
19 set forth in section 226-108;

20 (5) Shall submit to the legislature an annual report on  
21 the office's activities and policy recommendations no



- 1 later than twenty days prior to the convening of each  
2 regular session;
- 3 (6) May apply for and accept, from whatever source,  
4 appropriations, gifts or grants of money, or other  
5 property;
- 6 (7) Shall consult with and seek comment from trade  
7 associations, organizations, businesses, and other  
8 groups and individuals representing pertinent  
9 interests as part of developing its recommendations;
- 10 (8) Shall develop and promote proposals that jointly and  
11 mutually enhance local economies, the environment, and  
12 community health for the present and future benefit of  
13 the people of Hawaii; and
- 14 (9) May contract with public agencies and private entities  
15 and persons for special research and sustainability  
16 planning assistance.
- 17 (b) Nothing in this section shall be construed to  
18 discourage or prohibit any person or organization from  
19 discussing or proposing mechanisms, including the modification  
20 of tax policies, to promote sustainability.



1           §   -5   Office of sustainability; cooperation. (a) The  
2 office of sustainability shall seek the widest possible  
3 cooperation from public agencies, including the federal  
4 government, as well as private entities and individuals to  
5 achieve the purposes of this chapter. It shall work closely  
6 with and assist the counties in the promotion of coordinated  
7 state and county sustainability planning.

8           (b) Every federal, state, or county agency, and every  
9 private entity or individual that provides sustainability  
10 planning programs and services shall be encouraged to  
11 participate actively in the activities of the office. The  
12 executive heads of all state departments and agencies shall  
13 cooperate with the office by providing information to it, as the  
14 governor and the director of business, economic development, and  
15 tourism deem necessary for the effective discharge of its  
16 duties.

17           (c) Nothing in this section shall be construed to delegate  
18 or detract in any way from the functions, powers, and duties  
19 conferred by law on any department or agency of the State or  
20 county.



1           §   -6 State sustainability special fund. (a) There is  
2 established the state sustainability special fund, into which  
3 shall be deposited the following moneys:

- 4           (1) Investment earnings, gifts, donations, or other income
- 5                       received by the office of sustainability;
- 6           (2) Any rebates, grants, or incentives associated with
- 7                       sustainability measures; and
- 8           (3) Capital appropriations for sustainability measures.

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

- 11           (1) The work and operations of the office of
- 12                       sustainability; and
- 13           (2) Sustainability initiatives, projects, and services.
- 14           (c) The department of business, economic development, and
- 15 tourism shall adopt rules in accordance with chapter 91 to
- 16 implement this section."

17           SECTION 4. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$                       or so much  
19 thereof as may be necessary for fiscal year 2018-2019 to be  
20 deposited into the state sustainability special fund.



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

4 (1) Establish and hire a full-time equivalent (1.00 FTE)  
5 director of the office of sustainability position  
6 pursuant to this Act; provided that the sustainability  
7 coordinator position shall be transferred from the  
8 office of planning;

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

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

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



1           (5) Establish and operate the office of sustainability.  
2           The sum appropriated shall be expended by the department of  
3 business, economic development, and tourism for the purposes of  
4 this Act.  
5           SECTION 6. This Act shall take effect on January 28, 2045.



**Report Title:**

Hawaii Sustainability Act; Office of Sustainability

**Description:**

Establishes the Hawaii Sustainability Act, including the Office of Sustainability and the State Sustainability Special Fund.  
(HB2547 HD2)

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

