
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1 SECTION 1. The legislature finds that Hawaii's government
2 should operate as efficiently as possible to make the best use
3 of government resources, personnel, and taxpayer dollars as it
4 works to achieve the policy goals enacted by the legislature on
5 behalf of the people of Hawaii. However, natural resource and
6 environmental management is split among many departments and
7 agencies, often leading to inefficiencies. For example, the use
8 and protection of water resources is scattered among the
9 environmental health administration and clean water branch of
10 the department of health; the division of aquatic resources,
11 commission on water resource management, office of conservation
12 and coastal lands, and division of boating and ocean recreation
13 of the department of land and natural resources; and the coastal
14 zone management program of the office of planning of the
15 department of business, economic development and tourism.

16 The legislature also finds that several departments also
17 suffer from internal conflicts of interest, including the



1 department of land and natural resources, which is tasked to
2 preserve Hawaii's public lands as well as make them available
3 for other purposes.

4 The legislature further finds that because the scope and
5 mission of some departments is so broad, directors must
6 prioritize their requests for resources. Inevitably, some
7 programs and services outside a department's core mission are
8 left behind. These programs and services may be a better fit in
9 another department where they take a higher priority.

10 In addition, modern critical issues such as climate change
11 necessitate that action and responsibility be spread among
12 several departments. It is sometimes unclear which departments
13 will take the lead and which will be responsible for using their
14 limited resources to tackle these challenges. To clarify
15 environmentally related subject matter jurisdiction, forty
16 states have a unified environmental department within its
17 governmental organizational structure.

18 The legislature finds that in 1984, the legislature adopted
19 Senate Concurrent Resolution No. 135 and House Concurrent
20 Resolution No. 78, requesting the legislative reference bureau
21 to conduct a study on establishing a state environmental



1 protection agency, department, or comparable body to coordinate
2 and address matters of environmental quality. In 1985, the
3 legislative reference bureau released a study "The Feasibility
4 of Environmental Reorganization for Hawaii", which, in part,
5 discussed the creation of a state department of environmental
6 protection.

7 The legislature further finds that Act 293, Session Laws of
8 Hawaii 1991, temporarily placed a department of environmental
9 protection in the Hawaii Revised Statutes; however the Act also
10 provided for its repeal on July 1, 1992, if the legislature
11 failed to enact a bill establishing the powers, duties, and
12 other provisions of the department of environmental protection
13 during the regular session of 1992. The department of
14 environmental protection task force report, in response to Act
15 293, found that while there was consensus that a department of
16 environmental protection should be established, the task force
17 could not reach consensus on the strategy regarding the overall
18 establishment of the department. The legislature was not able
19 to enact a law establishing the powers, duties, and other
20 provisions of the department of environmental protection, and
21 thus, Act 293 was repealed.



1 The purpose of this Act is to require the legislative
2 reference bureau to update the 1985 study "The Feasibility of
3 Environmental Reorganization for Hawaii" and to assess the
4 feasibility of implementing findings and recommendations.

5 SECTION 2. (a) The legislative reference bureau shall
6 update its study "The Feasibility of Environmental
7 Reorganization for Hawaii" and assess the feasibility of
8 implementing the findings and recommendations of the department
9 of environmental protection task force.

10 (b) The legislative reference bureau may contract the
11 services of another entity to perform any related services that
12 may be required pursuant to this Act. Any contract for services
13 executed pursuant to this Act shall be exempt from chapter 103D,
14 Hawaii Revised Statutes.

15 (c) The legislative reference bureau shall submit the
16 updated study to the legislature no later than twenty days prior
17 to the convening of the regular session of 2020.

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$150,000 or so much
20 thereof as may be necessary for fiscal year 2018-2019 for the
21 purposes of this Act.



1 The sum appropriated shall be expended by the legislative
2 reference bureau for the purposes of this Act.

3 SECTION 4. This Act shall take effect on July 1, 2018.



Report Title:

Environmental Reorganization; LRB Study; Appropriation

Description:

Requires LRB to update its 1985 study on environmental reorganization for Hawaii and assess the feasibility of implementing the findings and recommendations of the 1991 Department of Environmental Protection Task Force. Makes an appropriation. (HB2026 HD1)

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