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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, 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 task force and the Hawaii 2050 sustainability plan to  
15 "coordinate the actions needed to sustain a growing and vibrant  
16 economy, while maintaining a high quality of life for all  
17 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 future."

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

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



1 "CHAPTER  
 2 HAWAII SUSTAINABILITY ACT; OFFICE OF SUSTAINABILITY;  
 3 STATE SUSTAINABILITY SPECIAL FUND

4 §225- Definitions. As used in this chapter:

5 "Director" means the director of the office of  
 6 sustainability.

7 "Office" means the office of sustainability.

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

13 §225- Findings and goals regarding sustainability. In  
 14 addition to the priority guidelines and principles to promote  
 15 sustainability set forth in section 226-108, the following  
 16 criteria shall be the goals for the State regarding  
 17 sustainability:

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



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



- 1 (G) State operations shall reflect partnerships with  
2 communities and businesses;
- 3 (H) State operations shall help reduce adverse  
4 effects on native habitats and species and help  
5 restore ecological processes;
- 6 (I) State operations shall be conducted in ways that  
7 significantly increase the efficient use of  
8 energy, water, and other resources; and
- 9 (J) State operations and purchases shall reflect the  
10 efficient use and reuse of resources and  
11 reduction of contaminants released into the  
12 environment;
- 13 (2) In supporting sustainable communities, state agencies  
14 shall seek to enable and encourage local communities  
15 to achieve the following objectives:
- 16 (A) Resilient local economies that provide a  
17 diversity of economic opportunities for all  
18 residents;
- 19 (B) Workers supported by lifelong education to ensure  
20 a globally competitive workforce;
- 21 (C) An independent and productive citizenry;



- 1 (D) Youth supported by strong families and  
2 communities;
- 3 (E) Urban communities, including downtowns, that are  
4 active and vital;
- 5 (F) Development that wisely and efficiently uses  
6 infrastructure investments and natural resources;
- 7 (G) Affordable housing available for residents in  
8 community centers;
- 9 (H) Healthy urban and rural watersheds, including  
10 habitats for fish and wildlife;
- 11 (I) Clean and sufficient water for all uses; and  
12 (J) Efficient use and reuse of resources and  
13 minimization of harmful emissions into the  
14 environment; and
- 15 (3) Intensification of efforts to increase the economic  
16 stability of communities designated as economically  
17 distressed.

18 **§225- Office of sustainability; established.** (a) There  
19 is established within the department of business, economic  
20 development, and tourism, an office of sustainability to  
21 increase economic development, while developing and protecting



1 resources in a manner that enables individuals to meet current  
2 needs and ensures that future generations can also meet their  
3 needs, from the joint perspective of environmental, economic,  
4 and community objectives through collaboration and cooperation  
5 between the public and private sectors.

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

- 8 (1) Training in the field of urban and regional planning,  
9 public administration, or other related fields;
- 10 (2) Experience in programs or services related to  
11 governmental planning, sustainability planning, and  
12 planning coordination; and
- 13 (3) Experience in a supervisory or administrative  
14 capacity.

15 The director shall be appointed by the governor without regard  
16 to chapter 76 and shall be compensated at a rate determined by  
17 the governor.

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

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



1           §225-     Office of sustainability; duties. The office of  
2 sustainability:

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

4                 (A) Objectives and goals for the office and criteria  
5                         to measure the goals;

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

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

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

12           (2) Shall gather, analyze, and provide information to the  
13                        governor to assist in the overall analysis and  
14                        formulation of state policies and strategies to  
15                        provide central coordination and cohesion in the  
16                        allocation of resources and effectuation of state  
17                        activities and programs, and effectively address  
18                        current or emerging sustainability issues and  
19                        opportunities;

20           (3) Shall identify, evaluate, make recommendations  
21                        regarding, and propose legislation, regulatory





1 changes, or policy modifications to the governor, the  
2 legislature, government agencies, private entities,  
3 and other bodies for the purpose of encouraging  
4 activities that best sustain, protect, and enhance the  
5 quality of the environment, economy, and community for  
6 the present and future benefit of the people of  
7 Hawaii;

8 (4) Shall develop and promote policies and programs that  
9 assist in the meeting of sustainability goals  
10 established in this chapter and the priority  
11 guidelines and principles to promote sustainability  
12 set forth in section 226-108;

13 (5) Shall submit to the legislature an annual report on  
14 the office's activities and policy recommendations no  
15 later than twenty days prior to the convening of each  
16 regular session;

17 (6) May apply for and accept, from whatever source,  
18 appropriations, gifts or grants of money, or other  
19 property;

20 (7) Shall consult with and seek comment from trade  
21 associations, organizations, businesses, and other



- 1 groups and individuals representing pertinent  
2 interests as part of developing its recommendations;
- 3 (8) Shall develop and promote proposals that jointly and  
4 mutually enhance local economies, the environment, and  
5 community health for the present and future benefit of  
6 the people of Hawaii; and
- 7 (9) May contract with public agencies and private entities  
8 and persons for special research and sustainability  
9 planning assistance.

10 Nothing in this section shall be construed to discourage or  
11 prohibit any person or organization from discussing or proposing  
12 mechanisms, including the modification of tax policies, to  
13 promote sustainability.

14 **§225- Office of sustainability; cooperation.** The office  
15 of sustainability shall seek the widest possible cooperation  
16 from public agencies, including the federal government, as well  
17 as private entities and individuals to achieve the purposes of  
18 this chapter. It shall work closely with and assist the  
19 counties in the promotion of coordinated state and county  
20 sustainability planning.



1 Every federal, state, or county agency, and every private  
2 entity or individual that provides sustainability planning  
3 programs and services shall be encouraged to participate  
4 actively in the activities of the office. The executive heads  
5 of all state departments and agencies shall cooperate with the  
6 office by providing information to it, as the governor and the  
7 director of business, economic development, and tourism deem  
8 necessary for the effective discharge of its duties.

9 Nothing in this section shall be construed to delegate or  
10 detract in any way from the functions, powers, and duties  
11 conferred by law on any department or agency of the State or  
12 county.

13 **§225- State sustainability special fund.** (a) There is  
14 established the state sustainability special fund, into which  
15 shall be deposited the following moneys:

- 16 (1) Investment earnings, gifts, donations, or other income  
17 received by the office of sustainability;
- 18 (2) Any rebates, grants, or incentives associated with  
19 sustainability measures; and
- 20 (3) Capital appropriations for sustainability measures.



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

3 (1) The work and operations of the office of  
4 sustainability; and

5 (2) Sustainability initiatives, projects, and services.

6 (c) The department of business, economic development, and  
7 tourism shall adopt rules in accordance with chapter 91 to  
8 implement this section."

9 SECTION 4. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$2,000,000 or so much  
11 thereof as may be necessary for fiscal year 2018-2019 to be  
12 deposited into the state sustainability special fund.

13 SECTION 5. There is appropriated out of the state  
14 sustainability special fund the sum of \$2,000,000 or so much  
15 thereof as may be necessary for fiscal year 2018-2019 to:

16 (1) Establish and hire a full-time equivalent (1.00 FTE)  
17 director of the office of sustainability position  
18 pursuant to this Act; provided that the sustainability  
19 coordinator position shall be transferred from the  
20 office of planning;



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

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

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

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

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

18          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 Fund. (HB2547 HD1)

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