

JAN 19 2007

A BILL FOR AN ACT

RELATING TO THE OFFICE OF PLANNING.

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

1 SECTION 1. During the 2005 special legislative session,
2 the legislature passed Act 12, Special Session Laws of Hawaii
3 2005, which clarified that the department of business, economic
4 development, and tourism has sole jurisdiction over land and
5 state planning functions, and directed the office of planning to
6 report only to the department of business, economic development,
7 and tourism. Section 225M-2(a), Hawaii Revised Statutes, was
8 amended to emphasize the importance of the office of planning
9 and accordingly required that its director shall be nominated by
10 the governor, and by and with the advice and consent of the
11 senate, and appointed by the governor without regard to chapter
12 76, Hawaii Revised Statutes. It was the intent of the
13 legislature when enacting Act 12 that the position of director
14 of the office of planning be given a high level status within
15 the executive branch, and that its term of office coincide with
16 the governor's term of office, in like manner, as the single



1 executive of a principle department of the State beginning after
2 the general election of 2006.

3 The purpose of this Act is to clarify the legislative
4 intent and application of Act 12, Special Session Laws of Hawaii
5 2005, so that the director of the office of planning on the day
6 after the 2006 general election and any director thereafter to
7 serve in that capacity submit to the advice and consent of the
8 senate.

9 SECTION 2. Section 225M-2, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) There is established within the department of
12 business, economic development, and tourism an office of
13 planning. The head of the office shall be known as the director
14 of the office of planning, referred to in this chapter as
15 director. The director shall have: training in the field of
16 urban or regional planning, public administration, or other
17 related fields; experience in programs or services related to
18 governmental planning; and experience in a supervisory,
19 consultative, or administrative capacity. The director shall be
20 nominated by the governor and, by and with the advice and
21 consent of the senate, appointed by the governor without regard
22 to chapter 76, and shall be compensated at a salary level set by



1 the governor. The director shall hold office for a term to
 2 expire at the end of the term for which the governor was
 3 elected, unless removed sooner by the governor. The director
 4 shall be included in any benefit program generally applicable to
 5 the officers and employees of the State. The director shall
 6 retain such staff as may be necessary for the purposes of this
 7 chapter, in conformity with chapter 76. The director shall
 8 report to the director of business, economic development, and
 9 tourism and shall not be required to report directly to any
 10 other principal executive department."

11 SECTION 3. Act 12, Special Session Laws of Hawaii 2005, is
 12 amended by amending section 5 to read as follows:

13 "SECTION 5. This Act shall take effect upon its
 14 approval[-]; provided that any person serving as the director of
 15 the office of planning on the day after the 2006 general
 16 election and any director thereafter shall be subject to advise
 17 and consent by the senate."

18 SECTION 4. Statutory material to be repealed is bracketed
 19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Russell Kolb

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William J. ...

Norman Sakemfu

James Messado

Jim

Frank ...

...

S.B. NO. 849

Fred Hemminger



Report Title:

Office of Planning; Director; Advise and Consent

Description:

Clarifies the advise and consent process for the director of office of planning to submit to the advise and consent of the senate.

