

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 2555

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and
Affordable Housing, to which was referred S.B. No. 2555 entitled:

"A BILL FOR AN ACT RELATING TO SUSTAINABILITY,"

begs leave to report as follows:

The purpose of this measure is to provide a centralized and focused dedication to planning and sustainability by establishing within the Executive Branch a new Department of Planning and Sustainability to address issues regarding the long-range planning of the State, to coordinate policies and actions relating to state planning and sustainability issues, and to provide a comprehensive sustainability agenda for the State.

Specifically, this measure establishes a Department of Planning and Sustainability to:

- (1) Have sole jurisdiction over the Agribusiness Development Corporation, the Commission on Water Resource Management, the duties and responsibilities of the Energy Resources Coordinator, the Hawaii Community Development Authority, the Land Use Commission, the Office of Environmental Quality Control, and the Office of Planning;
- (2) Administer programs to address issues regarding the long-range planning of the State, to coordinate policies and actions relating to state planning and



sustainability issues, and to provide a comprehensive sustainability agenda for the State; and

- (3) Be led by the Director of the Office of Planning and the Office of Planning, which will be the lead agency of the Department of Planning and Sustainability for administrative purposes.

Testimony in support of this measure was submitted by one private individual. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources; the Department of Agriculture; the Agribusiness Development Corporation; the Department of Business, Economic Development, and Tourism; the Office of Planning, Department of Business, Economic Development, and Tourism; the Hawaii Community Development Authority; the Building Industry Association - Hawaii; the Hawaii Farm Bureau Federation; the Hawaii Agriculture Research Center; The Chamber of Commerce of Hawaii; the East Kauai Water Users' Cooperative; the Hawaii Building and Construction Trades Council, AFL-CIO; the Land Use Commission of Hawaii; and three private individuals. Comments on this measure were submitted by the Legislative Reference Bureau, Castle & Cooke Hawaii, and the Life of the Land.

During the 2005 Special Session, the Legislature enacted Act 8, Special Session Laws of Hawaii 2005, which created the Hawaii 2050 Sustainability Task Force to review the Hawaii State Plan and the State's planning process. In enacting Act 8, the Legislature expressed its belief that government is responsible for resolving daily and immediate issues and public needs, while providing guidance to assure a sustainable future and outlook. As a result of the efforts of the Hawaii 2050 Sustainability Task Force and coordinated and comprehensive community participation and input, the Hawaii 2050 Sustainability Plan, submitted to the Legislature in December 2007, has revitalized the State's long-term planning process to better guide the future development of Hawaii.

Your Committee finds that there are several existing state agencies and offices, or state officer duties and responsibilities, which focus on and serve various functions in achieving and maintaining a more sustainable future for the State, including the Agribusiness Development Corporation, the Commission on Water Resource Management, the duties and responsibilities of the Energy Resources Coordinator, the Hawaii Community Development Authority, the Land Use Commission, the Office of Environmental



Quality Control, and the Office of Planning. Although these state agencies and officials strive to develop and set forth policies relating to various aspects of sustainability, they are each placed under different state departments for administrative purposes. Combining these state agencies and certain duties and responsibilities under a single state department will enable these agencies to unify their sustainability efforts under a single administrative umbrella. Thus, establishing a new department dedicated to planning and sustainability creates, clarifies, and concentrates the State's long-range planning and sustainability initiatives, policies, and efforts by using existing agencies and offices rather than creating an additional layer of government.

Your Committee emphasizes that the purpose of this measure is not to take away the powers of or eliminate any of the agencies, corporations, offices, or duties and responsibilities proposed to be placed under the Department of Planning and Sustainability, but it is instead intended to combine all of the state planning and sustainability efforts into a focused, comprehensive, and long-term state effort for the purposes of efficiency and effectiveness. However, your Committee recognizes the concerns raised regarding implementing this measure and encourages further opportunity for discussion.

Accordingly, your Committee has amended this measure by:

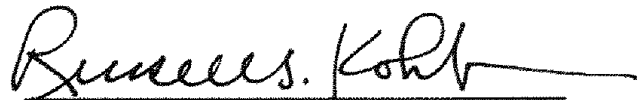
- (1) Removing the Agribusiness Development Corporation from being administratively attached to the Department of Planning and Sustainability and deleting references to the Agribusiness Development Corporation;
- (2) Inserting an effective date of July 1, 2050 to ensure further discussion on this matter by the Committee on Ways and Means; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee believes that establishing within the Executive Branch a new Department of Planning and Sustainability fulfills the intent of this measure, which is to provide a centralized and focused dedication to planning and sustainability in the State.



As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2555, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,



RUSSELL S. KOKUBUN, Chair



