
A BILL FOR AN ACT

RELATING TO THE OFFICE OF COMMUNITY SERVICES.

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

1 SECTION 1. The purpose of this Act is to improve the
2 delivery of services to vulnerable populations such as
3 immigrants and low-income individuals by transferring the office
4 of community services from the department of labor and
5 industrial relations to the department of human services.

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

9 "CHAPTER

10 OFFICE OF COMMUNITY SERVICES

11 § -1 Findings and purpose. The State of Hawaii has been
12 a leader among the states in the development of progressive and
13 innovative undertakings on behalf of its neediest residents.
14 Securing the well-being of all of the State's citizens continues
15 to be a policy objective of the highest priority.

16 As the State commits a growing share of its resources to
17 programs and services to assist those at the lowest end of the



1 income scale such as the disadvantaged, refugees, immigrants,
2 and other people in need, the State must also ensure that
3 government resources are used prudently and in the most cost-
4 effective manner possible, and that the State recognizes changes
5 in societal attitudes, values, and emphasis that have produced
6 new issues requiring new approaches for their resolution.

7 The purpose of this chapter is to establish the office of
8 community services within the department of human services. The
9 primary purposes of the office are to facilitate and enhance the
10 development, delivery, and coordination of effective services
11 and programs for some of the most vulnerable individuals within
12 the State. The establishment of the office of community
13 services in the department of human services would:

- 14 (1) Improve the efficiency and effectiveness of the
15 operations of the executive branch;
- 16 (2) Improve the delivery of services to disadvantaged
17 persons, refugees, and immigrants;
- 18 (3) Improve responsibility and accountability for
19 successfully carrying out programs, policies, and
20 priorities of the office of community services; and
- 21 (4) Improve responsiveness to the needs of the people of
22 Hawaii.



1 § -2 Office of community services; establishment;
2 executive director. (a) There is established the office of
3 community services within the department of human services for
4 administrative purposes. The following programs are under the
5 auspices of and coordinated through the office:
6 (1) The progressive neighborhoods program;
7 (2) The Hawaii office of economic opportunity;
8 (3) The refugee resettlement program; and
9 (4) The state immigrant services center.
10 (b) The office of community services shall be headed by
11 the executive director of the office of community services. The
12 executive director shall have training and experience in the
13 field of social work, education, public health, or related
14 fields; direct experience in programs and services related to
15 disadvantaged persons, refugees, or immigrants; and experience
16 in working in a supervisory, consultative, or administrative
17 capacity. The executive director shall be appointed by the
18 governor without regard to chapter 76 and shall be compensated
19 at a salary level no less than that of a second deputy. The
20 executive director shall be included in any benefit program
21 generally applicable to the officers and employees of the State.



1 § -3 General functions, duties, and powers of the
2 executive director. The executive director shall:

- 3 (1) Serve as a principal official in the coordination of
4 state government programs for low-income persons,
5 disadvantaged persons, refugees, and immigrants;
- 6 (2) Oversee, supervise, and direct the performance by
7 subordinates of activities in areas that include
8 planning, evaluation, and coordination of programs for
9 low-income persons, disadvantaged persons, refugees,
10 and immigrants;
- 11 (3) Assess the policies and practices of public and
12 private agencies impacting low-income persons,
13 disadvantaged persons, refugees, and immigrants;
- 14 (4) Devise and recommend legislative and administrative
15 actions for the improvement of services for low-income
16 persons, disadvantaged persons, refugees, and
17 immigrants;
- 18 (5) Serve as a member of advisory boards and panels of
19 state agencies in areas that include human services,
20 housing, child development programs, elderly health
21 and medical assistance programs, refugee assistance
22 programs, and immigrant services programs;



1 (6) Administer funds allocated for the office of community
2 services; and apply for, receive, and disburse grants
3 and donations from federal, state, local, and private
4 sources for programs and services to assist low-income
5 persons, disadvantaged persons, refugees, and
6 immigrants;

7 (7) Adopt, amend, and repeal rules pursuant to chapter 91
8 to implement this chapter;

9 (8) Retain staff as may be necessary for the purposes of
10 this chapter, who may be exempt from chapter 76; and

11 (9) Contract for services as may be necessary for the
12 purposes of this chapter.

13 **§ -4 General duties and powers of the office of**
14 **community services.** The office of community services shall:

15 (1) Establish statewide goals and objectives relating to
16 low-income persons, disadvantaged persons, refugees,
17 and immigrants;

18 (2) Study and conduct research concerning the needs of
19 low-income persons, disadvantaged persons, refugees,
20 and immigrants in the State. The research is to be
21 carried out whenever possible through the departments
22 or agencies of the state and county governments



1 responsible for providing services in the fields of
2 health, education, housing, social services,
3 employment, and related areas. Where the research
4 cannot be performed within established agencies, it
5 shall be carried out by the office of community
6 services or contracted by the office of community
7 services;

8 (3) Review legislation pertaining to programs within the
9 purview of the office of community services and
10 appropriations made for services to low-income
11 persons, disadvantaged persons, refugees, and
12 immigrants; recommend needed revisions to the
13 programs; and submit a report to the governor
14 including any recommended legislation;

15 (4) Evaluate the availability, adequacy, and accessibility
16 of all services for low-income persons, disadvantaged
17 persons, refugees, and immigrants within the State;

18 (5) Assist and coordinate the efforts of all public and
19 private agencies providing services that affect low-
20 income persons, disadvantaged persons, refugees, and
21 immigrants, including the department of health, the
22 department of human services, the department of labor



1 and industrial relations, and the department of
2 education, and report the facts and the office's
3 recommendations to the governor and the legislature.
4 The executive heads of all departments and agencies
5 shall make available to the office of community
6 services information as the office deems necessary for
7 the effective discharge of its duties under this
8 chapter;

9 (6) Maintain contacts with local, state, and federal
10 officials and public and private agencies concerned
11 with planning for low-income persons, disadvantaged
12 persons, refugees, and immigrants; and

13 (7) Encourage and foster local action on behalf of low-
14 income persons, disadvantaged persons, refugees, and
15 immigrants;

16 provided that employment core service, and employment creation,
17 programs for low-income persons, disadvantaged persons,
18 immigrants, and refugees shall remain under the jurisdiction of
19 the department of labor and industrial relations.

20 **§ -5 Relationships with other departments and agencies**
21 **and cooperation with the office of community services.** Every
22 state department, county agency, or other public or private



1 agencies providing programs and services to low-income persons,
2 disadvantaged persons, refugees, and immigrants shall be
3 encouraged to actively work with the office of community
4 services and to coordinate the development of its program plans.
5 The executive heads of all the departments and agencies shall
6 cooperate with the office of community services in providing
7 information deemed necessary for the effective discharge of its
8 duties. However, nothing contained in this chapter shall be
9 deemed to delegate or detract from the functions, powers, and
10 duties prescribed by law for any other department or agency of
11 this State or any county, nor to terminate any existing
12 contracts between any department or agency and any private
13 organization for the development or administration of programs
14 or services to low-income persons, disadvantaged persons,
15 refugees, and immigrants. Notwithstanding that each county
16 shall maintain maximum control over the development and
17 administration of human service programs tailored to meet county
18 needs, each department, agency, officer, and employee of the
19 State and of the counties shall cooperate with and assist the
20 office of community services in the performance of the
21 functions, powers, and duties of the office."



1 SECTION 3. Chapter 371K, Hawaii Revised Statutes, is
2 repealed.

3 SECTION 4. All rights, powers, functions, and duties of
4 the department of labor and industrial relations relating to the
5 office of community services are transferred to the department
6 of human services. The sixteen permanent full-time equivalent
7 (16.0 FTE) positions in the office of community services are
8 hereby transferred from the department of labor and industrial
9 relations to the department of human services to carry out the
10 purposes of this Act. All officers and employees whose
11 functions are transferred by this Act shall be transferred with
12 their functions and shall continue to perform their regular
13 duties upon their transfer, subject to the state personnel laws
14 and this Act.

15 No officer or employee of the State shall suffer any loss
16 of salary, seniority, prior service credit, vacation, sick
17 leave, or other employee benefit or privilege as a consequence
18 of this Act.

19 In the event that an office or position held by an officer
20 or employee having tenure is abolished, the officer or employee
21 shall not thereby be separated from public employment, but shall
22 remain in the employment of the State with the same pay and



1 classification and shall be transferred to some other office or
2 position for which the officer or employee is eligible under the
3 personnel laws of the State as determined by the director of
4 human resources development.

5 All appropriations, records, equipment, machines, files,
6 supplies, contracts, books, papers, documents, maps, and other
7 personal property heretofore made, used, acquired, or held by
8 the department of labor and industrial relations, its agencies,
9 divisions, or offices relating to the functions of the office of
10 community services, which are transferred to the department of
11 human services shall be transferred with the functions to which
12 they relate.

13 All rules, policies, procedures, guidelines, and other
14 material adopted or developed by the agencies, divisions, or
15 offices transferred or placed for administrative purposes under
16 this Act, shall remain in full force and effect until amended or
17 repealed by the department of human services pursuant to chapter
18 91, Hawaii Revised Statutes.

19 All deeds, leases, contracts, loans, agreements, permits,
20 or other documents executed or entered into by or on behalf of
21 the agencies, divisions, or offices transferred or placed for



1 administrative purposes with the department of human services by
2 this Act, shall remain in full force and effect.

3 The provisions of this section are to be liberally
4 construed to effectuate its purposes.

5 SECTION 5. All acts passed by the legislature during this
6 regular session of 2009, whether enacted before or after the
7 effective date of this Act, shall be amended to conform to this
8 Act unless such acts specifically provide that this Act is being
9 amended.

10 SECTION 6. This Act shall take effect on July 1, 2009.



Report Title:

Office of Community Services

Description:

Transfers the Office of Community Services from the Department of Labor and Industrial Relations to the Department of Human Services. Maintains employment core services and employment creation programs for low-income individuals, immigrants, and refugees with the Department of Labor and Industrial Relations.
(SB905 HD1)

