

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.** (a)

2 There is established the office of community services, which
3 shall be placed within the department of human services for
4 administrative purposes. The following shall be among the
5 programs to be under the auspices of and coordinated through the
6 office:

7 (1) The progressive neighborhoods program;

8 (2) The Hawaii office of economic opportunity;

9 (3) The refugee resettlement program; and

10 (4) The state immigrant services center.

11 (b) The head of the office of community services shall be
12 known as the executive director of the office of community
13 services, hereinafter referred to as the executive director.

14 The executive director shall have training and experience in the
15 field of social work, education, public health, or related
16 fields; direct experience in programs and services related to
17 disadvantaged persons, refugees, or immigrants; and experience
18 in working in a supervisory, consultative, or administrative
19 capacity. The executive director shall be appointed by the
20 governor without regard to chapter 76 and shall be compensated
21 at a salary level no less than that of a second deputy. The

1 executive director shall be included in any benefit program
2 generally applicable to the officers and employees of the State.

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

5 (1) Serve as a principal official in the coordination of
6 state government programs for low-income persons,
7 disadvantaged persons, refugees, and immigrants;

8 (2) Oversee, supervise, and direct the performance by
9 subordinates of activities in areas that include
10 planning, evaluation, and coordination of programs for
11 low-income persons, disadvantaged persons, refugees,
12 and immigrants;

13 (3) Assess the policies and practices of public and
14 private agencies impacting low-income persons,
15 disadvantaged persons, refugees, and immigrants;

16 (4) Devise and recommend legislative and administrative
17 actions for the improvement of services for low-income
18 persons, disadvantaged persons, refugees, and
19 immigrants;

20 (5) Serve as a member of advisory boards and panels of
21 state agencies in areas that include human services,
22 housing, child development programs, elderly health

- 1 and medical assistance programs, refugee assistance
2 programs, and immigrant services programs;
- 3 (6) Administer funds allocated for the office of community
4 services; and apply for, receive, and disburse grants
5 and donations from federal, state, local, and private
6 sources for programs and services to assist low-income
7 persons, disadvantaged persons, refugees, and
8 immigrants;
- 9 (7) Adopt, amend, and repeal rules pursuant to chapter 91
10 to implement this chapter;
- 11 (8) Retain staff as may be necessary for the purposes of
12 this chapter, who may be exempt from chapter 76; and
- 13 (9) Contract for services as may be necessary for the
14 purposes of this chapter.

15 § -4 **General duties and powers of the office of**

16 **community services.** The office of community services shall:

- 17 (1) Establish statewide goals and objectives relating to
18 low-income persons, disadvantaged persons, refugees,
19 and immigrants;
- 20 (2) Study and conduct research concerning the needs of
21 low-income persons, disadvantaged persons, refugees,
22 and immigrants in the State. The research is to be

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

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

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

20 (5) Assist and coordinate the efforts of all public and
21 private agencies providing services that affect low-
22 income persons, disadvantaged persons, refugees, and

1 immigrants including, without limitation to the
2 generality of the foregoing, the department of health,
3 the department of human services, the department of
4 labor and industrial relations, and the department of
5 education, and report the facts and the office's
6 recommendations to the governor and to the
7 legislature. The executive heads of all the
8 departments and agencies shall make available to the
9 office of community services information as the office
10 deems necessary for the effective discharge of its
11 duties under this chapter;

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

16 (7) Encourage and foster local action on behalf of low-
17 income persons, disadvantaged persons, refugees, and
18 immigrants.

19 **§ -5 Relationships with other departments and agencies**
20 **and cooperation with the office of community services.** Every
21 state department, county agency, or other public or private
22 agencies providing programs and services to low-income persons,

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

21 SECTION 3. Chapter 371K, Hawaii Revised Statutes, is
22 repealed.

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

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

17 In the event that an office or position held by an officer
18 or employee having tenure is abolished, the officer or employee
19 shall not thereby be separated from public employment, but shall
20 remain in the employment of the State with the same pay and
21 classification and shall be transferred to some other office or
22 position for which the officer or employee is eligible under the

1 personnel laws of the State as determined by the director of
2 human resources development.

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

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

17 All deeds, leases, contracts, loans, agreements, permits,
18 or other documents executed or entered into by or on behalf of
19 the agencies, divisions, or offices transferred or placed for
20 administrative purposes with the department of human services by
21 this Act, shall remain in full force and effect.

1 The provisions of this section are to be liberally
2 construed to effectuate its purposes.

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

8 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. (SD2)