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**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 bill 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  
12 been a leader among the states in the development of progressive  
13 and innovative undertakings on behalf of its neediest  
14 residents. Securing the well-being of all of the State's  
15 citizens continues to be a policy objective of the highest  
16 priority.

17           As the State commits a growing share of its resources to  
18 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, 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 services  
13 would help:

- 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; and
- 21 (4) Improve responsiveness to the needs of the people of  
22 Hawaii.

1           **§     -2   Office of community services, establishment.**

2   (a) There is established within the department of human  
3   services, the office of community services, which shall be  
4   administratively attached to the department of human services.

5   The following shall be among the programs to be under the  
6   auspices of and coordinated through the office:

- 7           (1)   Progressive neighborhoods program;
- 8           (2)   Hawaii office of economic opportunity;
- 9           (3)   Refugee resettlement program; and
- 10          (4)   State immigrant services center.

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

1 included in any benefit program generally applicable to the  
2 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 such areas as planning,  
10 evaluation, and coordination of programs for low-  
11 income persons, disadvantaged persons, refugees, and  
12 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  
18 disadvantaged persons, refugees, and immigrants;

19       (5) Serve as a member of advisory boards and panels of  
20 state agencies in areas such as human services,  
21 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 for purposes of this chapter;
- 11 (8) Retain such staff as may be necessary for the purposes  
12 of this chapter, who may be exempt from Chapter 76;  
13 and
- 14 (9) Contract for services as may be necessary for the  
15 purposes of this chapter.

16 **§ -4 General duties and powers of the office of**  
17 **community services.** The Office of community services shall:

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

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

10 (3) Review legislation pertaining to programs within the  
11 purview of the office and appropriations made for  
12 services to low-income persons, disadvantaged persons,  
13 refugees, and immigrants; recommend revisions and  
14 additions needed; and report to the governor regarding  
15 such legislation;

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

19 (5) Assist and coordinate the efforts of all public and  
20 private agencies providing services which affect low-  
21 income persons, disadvantaged persons, refugees, and  
22 immigrants, including, without limitation to the

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

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

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

18      **§ -5 Relationships with other departments and agencies and**  
19      **cooperation with the office of community services.** Every state  
20      department, county agency, or other public or private agencies  
21      providing programs and services to low-income persons,  
22      disadvantaged persons, refugees, and immigrants shall be

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

20 SECTION 3. Section 371K, Hawaii Revised Statutes, is  
21 repealed.



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

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

14           In the event that an office or position held by an officer  
15 or employee having tenure is abolished, the officer or employee  
16 shall not thereby be separated from public employment, but shall  
17 remain in the employment of the State with the same pay and  
18 classification and shall be transferred to some other office or  
19 position for which the officer or employee is eligible under the  
20 personnel laws of the State as determined by the director of  
21 human resources development.

1 All appropriations, records, equipment, machines, files,  
2 supplies, contracts, books, papers, documents, maps, and other  
3 personal property heretofore made, used, acquired, or held by  
4 the agencies, divisions, or offices transferred or placed for  
5 administrative purposes under this Act relating to the functions  
6 transferred to the department of human services shall be  
7 transferred with the functions to which they relate.

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

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

19 The provisions of this section are to be liberally  
20 construed to effectuate its purposes.

21 SECTION 5. All acts passed by the legislature during this  
22 regular session of 2009, whether enacted before or after the

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1 effective date of this Act, shall be amended to conform to this  
2 Act unless such acts specifically provide that this Act is being  
3 amended.

4 SECTION 6. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect on July 1, 2009.

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9

INTRODUCED BY:

Calvin K. Say  
BY REQUEST

JAN 26 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.

HB 1087

JUSTIFICATION SHEET

DEPARTMENT: Office of the Governor

TITLE: A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES

PURPOSE: Transfers the Office of Community Services from the Department of Labor and Industrial Relations to the Department of Human Services.

MEANS: Add a new chapter to the Hawaii Revised Statutes (HRS) and repeal Chapter 371K, (HRS).

JUSTIFICATION: This bill strengthens and improves the delivery of human service programs by transferring the Office of Community Services (OCS) from the Department of Labor and Industrial Relations (DLIR) to the Department of Human Services (DHS).

Created in 1985 by the Hawaii State Legislature, OCS is mandated to provide human service programs to Hawaii's low-income persons, disadvantaged persons, refugees, and immigrants. OCS contracts and administers program services including but not limited to food distribution, employment, transportation, childcare, and disability advocacy. All of the programs and services administered by OCS are geared toward helping people successfully achieve and maintain long-term self-sufficiency.

The primary functions of OCS more readily correspond to the objectives and responsibilities of DHS than the DLIR. Both OCS and DHS are responsible for administering Federal programs that help the low-income, immigrant, refugee, and disadvantaged persons. By becoming an attached agency to DHS, OCS will be able to collaborate with other human service agencies and providers in the State and

private sectors. This will increase the overall effectiveness and quality of service provided by the Office.

Impact on the public: Improves the public's ability to access human service programs by consolidating key programs under the same department. Creates an opportunity for one-stop services to vulnerable populations.

Impact on the department and other agencies: Increases the opportunity for coordination and efficiencies amongst related human service programs.

GENERAL FUND: DLIR Account G-09-193-L is transferred to DHS.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: Transfer LBR 803 to HMS 803

OTHER AFFECTED AGENCIES: Department of Human Services, Department of Labor and Industrial Relations, Office of Community Services

EFFECTIVE DATE: July 1, 2009.