



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 within the department of human services,  
3   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)   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 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 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 such as 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 for purposes of 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 report to the governor regarding the  
16 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. 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

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. 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. (SD1)