

JAN 25 2012

A BILL FOR AN ACT

RELATING TO THE OFFICE OF PLANNING.

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

1 SECTION 1. Section 225M-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§225M-1 Purpose.** The purpose of this chapter is to
4 establish an office of planning to assist the governor and the
5 director of business, economic development, and tourism in
6 maintaining an overall framework to guide the development of the
7 State through a continuous process of comprehensive, long-range,
8 and strategic planning to meet the physical, economic, and
9 social needs of Hawaii's people, and provide for the wise use of
10 Hawaii's resources in a coordinated, efficient, and economical
11 manner, including the conservation of those natural,
12 environmental, recreational, scenic, historic, and other limited
13 and irreplaceable resources which are required for future
14 generations.

15 The establishment of an office of planning [~~in the~~
16 ~~department of business, economic development, and tourism,~~
17 within the office of the governor, for administrative purposes,
18 is intended to:



- 1 (1) Fix responsibility and accountability to successfully
- 2 carry out statewide planning programs, policies, and
- 3 priorities;
- 4 (2) Improve the efficiency and effectiveness of the
- 5 operations of the executive branch;
- 6 (3) Ensure comprehensive planning and coordination to
- 7 enhance the quality of life of the people of Hawaii."

8 SECTION 2. Section 225M-2, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§225M-2 Office of planning, establishment;**
11 **responsibilities.** (a) There is established within the
12 [~~department of business, economic development, and tourism]~~
13 office of the governor an office of planning. The head of the
14 office shall be known as the director of the office of planning,
15 referred to in this chapter as director. The director shall
16 have: training in the field of urban or regional planning,
17 public administration, or other related fields; experience in
18 programs or services related to governmental planning; and
19 experience in a supervisory, consultative, or administrative
20 capacity. The director shall be nominated by the governor and,
21 by and with the advice and consent of the senate, appointed by
22 the governor without regard to chapter 76, and shall be



1 compensated at a salary level set by the governor. The director
2 shall be included in any benefit program generally applicable to
3 the officers and employees of the State. The director shall
4 retain such staff as may be necessary for the purposes of this
5 chapter, in conformity with chapter 76. The director shall
6 report to the [~~director of business, economic development, and~~
7 ~~tourism~~] governor and [~~shall not~~] may be required to report
8 directly to any other principal executive department. The
9 director shall conduct an annual comprehensive review of the
10 office of planning to be submitted to the governor and
11 legislature no later than twenty days prior to the convening of
12 each regular session.

13 (b) The office of planning shall gather, analyze, and
14 provide information to the governor to assist in the overall
15 analysis and formulation of state policies and strategies to
16 provide central direction and cohesion in the allocation of
17 resources and effectuation of state activities and programs and
18 effectively address current or emerging issues and
19 opportunities. More specifically, the office shall engage in
20 the following activities:

21 (1) State comprehensive planning and program coordination.
22 Formulating and articulating comprehensive statewide



1 goals, objectives, policies, and priorities, and
2 coordinating their implementation through the
3 statewide planning system established in part II of
4 chapter 226;

5 (2) Strategic planning. Identifying and analyzing
6 significant issues, problems, and opportunities
7 confronting the State, and formulating strategies and
8 alternative courses of action in response to
9 identified problems and opportunities by:

10 (A) Providing in-depth policy research, analysis, and
11 recommendations on existing or potential areas of
12 critical state concern;

13 (B) Examining and evaluating the effectiveness of
14 state programs in implementing state policies and
15 priorities;

16 (C) Monitoring through surveys, environmental
17 scanning, and other techniques--current social,
18 economic, and physical conditions and trends; and

19 (D) Developing, in collaboration with affected public
20 or private agencies and organizations,
21 implementation plans and schedules and, where



1 appropriate, assisting in the mobilization of
2 resources to meet identified needs;

3 (3) Planning coordination and cooperation. Facilitating
4 coordinated and cooperative planning and policy
5 development and implementation activities among state
6 agencies and between the state, county, and federal
7 governments, by:

8 (A) Reviewing, assessing, and coordinating, as
9 necessary, major plans, programs, projects, and
10 regulatory activities existing or proposed by
11 state and county agencies;

12 (B) Formulating mechanisms to simplify, streamline,
13 or coordinate interagency development and
14 regulatory processes; and

15 (C) Recognizing the presence of federal defense and
16 security forces and agencies in the State as
17 important state concerns;

18 (4) Statewide planning and geographic information system.
19 Collecting, integrating, analyzing, maintaining, and
20 disseminating various forms of data and information,
21 including geospatial data and information, to further



1 effective state planning, policy analysis and
2 development, and delivery of government services by:

3 (A) Collecting, assembling, organizing, evaluating,
4 and classifying existing geospatial and non-
5 geospatial data and performing necessary basic
6 research, conversions, and integration to provide
7 a common database for governmental planning and
8 geospatial analyses by state agencies;

9 (B) Planning, coordinating, and maintaining a
10 comprehensive, shared statewide planning and
11 geographic information system and associated
12 geospatial database. The office shall be the
13 lead agency responsible for coordinating the
14 maintenance of the multi-agency, statewide
15 planning and geographic information system and
16 coordinating, collecting, integrating, and
17 disseminating geospatial data sets that are used
18 to support a variety of state agency applications
19 and other spatial data analyses to enhance
20 decision making. The office shall promote and
21 encourage free and open data sharing among and
22 between all government agencies. To ensure the



1 maintenance of a comprehensive, accurate, up-to-
2 date geospatial data resource that can be drawn
3 upon for decision making related to essential
4 public policy issues such as land use planning,
5 resource management, homeland security, and the
6 overall health, safety, and well-being of
7 Hawaii's citizens, and to avoid redundant data
8 development efforts, state agencies shall provide
9 to the shared system either their respective
10 geospatial databases or, at a minimum, especially
11 in cases of secure or confidential data sets that
12 cannot be shared or must be restricted, metadata
13 describing existing geospatial data. In cases
14 where agencies provide restricted data, the
15 office of planning shall ensure the security of
16 that data; and

17 (C) Maintaining a centralized depository of state and
18 national planning references;

19 (5) Land use planning. Developing and presenting the
20 position of the State in all boundary change petitions
21 and proceedings before the land use commission,
22 assisting state agencies in the development and



1 submittal of petitions for land use district boundary
2 amendments, and conducting periodic reviews of the
3 classification and districting of all lands in the
4 State, as specified in chapter 205;

5 (6) Coastal and ocean policy management. Carrying out the
6 lead agency responsibilities for the Hawaii coastal
7 zone management program, as specified in chapter 205A.
8 Also, developing and maintaining an ocean and coastal
9 resources information, planning, and management system
10 further developing and coordinating implementation of
11 the ocean resources management plan, and formulating
12 ocean policies with respect to the exclusive economic
13 zone, coral reefs, and national marine sanctuaries;

14 (7) Regional planning and studies. Conducting plans and
15 studies to determine:

16 (A) The capability of various regions within the
17 State to support projected increases in both
18 resident populations and visitors;

19 (B) The potential physical, social, economic, and
20 environmental impact on these regions resulting
21 from increases in both resident populations and
22 visitors;



- 1 (C) The maximum annual visitor carrying capacity for
- 2 the State by region, county, and island; and
- 3 (D) The appropriate guidance and management of
- 4 selected regions and areas of statewide critical
- 5 concern.

6 The studies in subparagraphs (A) to (C) shall be
7 conducted at appropriate intervals, but not less than
8 once every five years; [~~and~~]

- 9 (8) Regional, national, and international planning.
10 Participating in and ensuring that state plans,
11 policies, and objectives are consistent, to the extent
12 practicable, with regional, national, and
13 international planning efforts[-]; and

- 14 (9) Operating teams for data collection, strategic
15 planning, and project management. Collecting data and
16 conducting studies to determine:

- 17 (A) Percentage of new jobs created by businesses
18 existing in the State;

- 19 (B) Percentage of newly created businesses;

- 20 (C) Percentage of businesses relocated from out-of-
21 state to Hawaii;



1 (D) Initiatives to assist existing businesses to
2 expand and remain competitive; and

3 (E) The State's top clusters of business and globally
4 emerging businesses."

5 SECTION 3. All rights, powers, functions, and duties of
6 the office of planning are transferred to the office of the
7 governor.

8 All officers and employees whose functions are transferred
9 by this Act shall be transferred with their functions and shall
10 continue to perform their regular duties upon their transfer,
11 subject to the state personnel laws and this Act.

12 No officer or employee of the State having tenure shall
13 suffer any loss of salary, seniority, prior service credit,
14 vacation, sick leave, or other employee benefit or privilege as
15 a consequence of this Act, and such officer or employee may be
16 transferred or appointed to a civil service position without the
17 necessity of examination; provided that the officer or employee
18 possesses the minimum qualifications for the position to which
19 transferred or appointed; and provided that subsequent changes
20 in status may be made pursuant to applicable civil service and
21 compensation laws.



1 An officer or employee of the State who does not have
2 tenure and who may be transferred or appointed to a civil
3 service position as a consequence of this Act shall become a
4 civil service employee without the loss of salary, seniority,
5 prior service credit, vacation, sick leave, or other employee
6 benefits or privileges and without the necessity of examination;
7 provided that such officer or employee possesses the minimum
8 qualifications for the position to which transferred or
9 appointed.

10 If an office or position held by an officer or employee
11 having tenure is abolished, the officer or employee shall not
12 thereby be separated from public employment, but shall remain in
13 the employment of the State with the same pay and classification
14 and shall be transferred to some other office or position for
15 which the officer or employee is eligible under the personnel
16 laws of the State as determined by the head of the department or
17 the governor.

18 SECTION 4. All appropriations, records, equipment,
19 machines, files, supplies, contracts, books, papers, documents,
20 maps, and other personal property heretofore made, used,
21 acquired, or held by the department of business, economic
22 development, and tourism relating to the functions transferred



1 to the office of the governor shall be transferred with the
2 functions to which they relate.

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

5 SECTION 6. This Act shall take effect upon its approval.

6

INTRODUCED BY:

Dan Claitor



S.B. NO. 3067

Report Title:

Office of Planning; Office of the Governor

Description:

Transfers the office of planning from the department of business, economic development, and tourism to the office of the governor. Creates operating teams in the office of planning for data collection, strategic planning, and project management. Requires the director of the office of planning to conduct an annual review of the office of planning.

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