



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2018**

ON THE FOLLOWING MEASURE:

H.B. NO. 2547, RELATING TO SUSTAINABILITY.

BEFORE THE:

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

DATE: Tuesday, February 6, 2018

TIME: 8:30 a.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Russell A. Suzuki, First Deputy Attorney General, or
Dawn T. Apuna, Deputy Attorney General

Chair Lee and Members of the Committee:

The Department of the Attorney General provides the following comments on this bill.

The purpose of this bill is to establish the Hawaii Sustainability Act, including the Office of Sustainability (Office) to increase economic development, while developing and protecting resources in a manner that enables individuals to meet current needs and ensures that future generations can also meet their needs, from the joint perspective of environmental, economic, and community objectives through collaboration and cooperation between the public and private sectors.

This bill appears to duplicate some of the functions of the Office of Planning (OP), which is established under chapter 225M, Hawaii Revised Statutes (HRS), and is authorized to assist the Governor and the Director of Business, Economic Development, and Tourism in maintaining an overall framework to guide the development of the State through a continuous process of comprehensive, long-range, and strategic planning to meet the physical, economic, and social needs of Hawaii's people, and provide for the wise use of Hawaii's resources in a coordinated, efficient, and economical manner, including the conservation of those natural, environmental, recreational, scenic, historic, and other limited and irreplaceable resources that are required for future generations. To avoid unnecessary duplication of services and programs, as well as potential conflict between the proposed Office and OP, this bill should establish the Office in purpose and programs clearly distinguishable from OP.

We respectfully ask the Committee to consider these comments.

DAVID Y. IGE
GOVERNOR



LAUREL A. JOHNSTON
ACTING DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY LAUREL A. JOHNSTON
ACTING DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
ON
HOUSE BILL NO. 2547

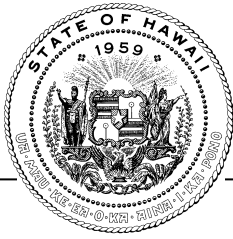
**February 6, 2018
8:30 a.m.
Room 325**

RELATING TO SUSTAINABILITY

House Bill No. 2547 establishes the following: the Hawaii Sustainability Act; the Office of Sustainability; and the State Sustainability Special Fund (SSSF). The measure also appropriates \$2,000,000 in general funds for FY 19 to be deposited into the SSSF to be expended on seven positions (six of which are newly authorized and one to be transferred from the Office of Planning) and to fund the operations of the new office.

The Department of Budget and Finance, as a matter of general policy, does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 2547, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.



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DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
Tuesday, February 6, 2018
8:30 AM
State Capitol, Conference Room 325

in consideration of
HB 2547
RELATING TO SUSTAINABILITY.

Chair Lee, Vice Chair Lowen, and Members of the House Committee on Energy and Environmental Protection.

The Office of Planning (OP) supports House Bill 2547, provided that its passage does not replace or adversely impact the priorities indicated in the Executive Budget. HB 2547 establishes the “Hawaii Sustainability Act,” including an office of sustainability, and a state sustainability special fund.

Pursuant to Hawaii Revised Statutes (HRS) § 226-108 and the Supplemental Appropriations Act of 2016, the Office of Planning recently filled a new sustainability coordinator position in 2017 to establish statewide sustainability planning and implementation of our state’s sustainability goals and policies.

HB 2547 establishes a legal framework to serve as a foundation for the State of Hawaii’s sustainability practices in addition to the Hawaii State Planning Act’s sustainability priority guidelines and principles set forth in HRS § 226-108. HB 2547 also establishes an office of sustainability within DBEDT and appropriates \$2 million in general funds to be deposited in a state sustainability special fund.

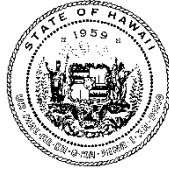
The Office of Planning supports the development of a legal framework and foundation to assist the development and implementation of sustainability planning, practices, and projects statewide.

In consultation with the bill's introducer, OP notes that the introducer's intentions were to establish this proposed office as an attached agency to the department, and offers the following amendments:

- 1) Establish the office of sustainability to be a part of the department of business, economic development, and tourism, for administrative purposes.
- 2) Require the director's appointment to be nominated by the governor and, by and with the advice and consent of the senate.
- 3) Allow the office of sustainability to create rules subject to HRS Chapter 91.

Thank you for the opportunity to offer support on HB 2547.

DAVID Y. IGE
GOVERNOR



SARAH ALLEN
ADMINISTRATOR
MARA SMITH
ASSISTANT ADMINISTRATOR

**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

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TESTIMONY
OF
SARAH ALLEN, ADMINISTRATOR
STATE PROCUREMENT OFFICE
TO THE HOUSE COMMITTEE
ON
ENERGY AND ENVIRONMENTAL PROTECTION
February 6, 2018
HOUSE BILL 2547
RELATING TO SUSTAINABILITY

Chair Lee, Vice Chair Lowen, and members of the committee, thank you for the opportunity to submit testimony on HB 2457. The State Procurement Office supports the intent of this bill and has comments on the state purchases sustainability goals.

Resources, support and training does not currently exist to assist state procurement personnel in conducting purchases with these multiple requirements. Deeper guidance, and clarification as to how the goals will be met will need to be developed by experts in this area. Directing state to purchase under these requirements also does not include any resulting metrics or methods of compliance for this direction.

Thank you.



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

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Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development and Tourism
before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
Tuesday, February 6, 2018
8:30 a.m.
State Capitol, Conference Room 325

in consideration of
HB 2547
RELATING TO SUSTAINABILITY.

Chair Lee, Vice Chair Lowen, and Members of the Committee:

The Department of Business, Economic Development and Tourism (DBEDT) **supports the intent** of House Bill 2547, provided that its passage does not replace or adversely impact the priorities indicated in the Executive Budget. HB 2547 establishes the "Hawaii Sustainability Act," including an office of sustainability, and a state sustainability special fund. DBEDT offers the following **comments**.

DBEDT supports the development of a legal framework to serve as a foundation for the State of Hawaii's sustainability practices, in addition to the Hawaii State Planning Act's sustainability priority guidelines and principles set forth in Hawaii Revised Statutes §226-108. We note that the Office of Planning is already charged with coordinating statewide efforts to carry out the goals of Chapter 226, the Hawaii State Planning Act.

HB 2547 also establishes an Office of Sustainability with seven permanent positions within DBEDT and appropriates \$2 million in general funds to be deposited in a state sustainability special fund.

If the Committee intends to move this measure forward, DBEDT suggests that the Office of Planning be charged with implementing the Hawaii Sustainability Act, by creating a new program within OP with additional positions and funding. We also suggest that the positions and operating costs be General Funded rather than Special Funded to save on personnel costs.

Thank you for the opportunity to offer comments on HB 2547.

HB-2547

Submitted on: 2/5/2018 8:24:14 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:



Email: communications@ulupono.com

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Tuesday, February 6, 2018 — 8:30 a.m. — Room 325

Ulupono Initiative Strongly Supports HB 2547, Relating to Sustainability

Dear Chair Lee, Vice Chair Lowen, and Members of the Committee:

My name is Kyle Datta and I am General Partner of Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and better management of waste and fresh water. Ulupono believes that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

Ulupono strongly supports HB 2547, which establishes the State Office of Sustainability and State Sustainability Fund, because it aligns with our goals.

For private sector and non-profit foundation funders, stakeholders, advocates, and the general public that is interested in environmental sectors such as local food, renewable energy, waste reduction, and better management of water, it is often difficult to navigate State government to get things done. This is especially true when multiple State departments are involved.

Ulupono has started to work with the City and County of Honolulu's new Office of Climate Change, Sustainability, and Resiliency to work across City agencies. We are confident that their efforts will successfully create better outcomes and we hope that a State Office counterpart can be placed into existence. If implemented, Ulupono will work collaboratively with this office to move needed public-private partnership projects and policies forward.

As sustainability issues become ever more complex and important, having a dedicated office with adequate staffing and funding is extremely critical to making Hawai'i a better place to live.

Thank you for this opportunity to testify.

Respectfully,

Investing in a Sustainable Hawai'i



Kyle Datta
General Partner



Environmental Caucus
of the Democratic Party of Hawai'i

February 3, 2018

To: COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Rep. Chris Lee, Chair
Rep. Nicole E. Lowen, Vice Chair

Re: HB 2547 – Relating to Sustainability,
Hearing: Friday, February 6, 2018, 8:30 am, Room 325

Position: SUPPORT

The Environmental Caucus of the Democratic Party of Hawai'i strongly supports HB 2547 which establishes the Hawaii Sustainability Act, including the Office of Sustainability and the State Sustainability Fund. We appreciate this opportunity to provide testimony in support of this bill.

Hawaii has benefited from fertile lands and a sustainable ecosystem in the past. The purpose of this Act is to establish a stronger policy framework for Hawaii's sustainability efforts, including an office of sustainability to ensure long-term planning, coordination, and implementation of Hawaii's sustainability goals and policies. This Act and its intentions are long overdue. This Act enhances the ability to make up for that lapse in time and help to restore the environment in best efforts to reduce the importing of food products. The fact that we have had to bring in outside food and the means in which we have been doing so has also played a part increasing the carbon footprint we are leaving on this land and our environment.

We support this Act and its efforts to improve the quality of life for the people and visitors that inhabit this land and the future generations to follow. Thank you for your consideration.

Terry Jasper Jr, Co- Chair
Energy and Climate Change
Environmental Caucus
Democratic Party of Hawai'i
Tj2ndcgh@gmail.com
808.489.3007

HOUSE OF REPRESENTATIVES
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018

COMMITTEE ON ENERGY & ENVIROMENTAL PROTECTION

Rep. Chris Lee, Chair
Rep. Nicole E. Lowen, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 6, 2018
TIME: 8:30 a.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

Hawaii Bioeconomy Trade Organization

Position: Strong Support

We give testimony in strong support for HB2547. Hawaii is in a unique location where the nature and the ever-changing weather and due to man-made climate change. Hawai'i is one of the most isolated areas geographically in the entire world. We must be prudent in our actions with sustaining grow in and out land in the most environmentally sound and way which provides for jobs opportunities which facilitates proper stewardship of our resources.

In addition, we recommend adding language to call out rural communities, revitalization of agricultural land for agricultural uses (reference: ALISH Act and the Hawaii Bioenergy Master Plan), local food production, and the sustainable and economically viable integrated food, energy, and waste-reuse projects. We also recommend that the statute only call for re-use in addition to efficiency.

The establishment of this office to coordinate efforts of sustainability with business which foster responsible grow and respecting and promoting domestic food supplies is vital. In addition, the voters on the Island of Oahu have given precedence for a City and County Office of Sustainability.

Many thanks for your time and consideration

Carl Campagna
Executive Director
Hawaii Bioeconomy Trade Organization
808-383-7699
Ccampa1@msn.com

HB-2547

Submitted on: 2/6/2018 9:32:42 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rafael Bergstom	Surfrider Foundation Oahu Chapter	Support	No

Comments:

HOUSE OF REPRESENTATIVES
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018

COMMITTEE ON ENERGY & ENVIROMENTAL PROTECTION

Rep. Chris Lee, Chair
Rep. Nicole E. Lowen, Vice Chair

NOTICE OF HEARING

DATE: Thursday, February 6, 2018
TIME: 8:30 a.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

Position: Strong Support

I give testimony in strong support for HB2547. Hawaii is in a unique location where weather is the ever-changing and the effects of climate change have been felt throughout the years. Hawai'i is one of the most geographically isolated locales in the entire world. We must be prudent in our actions with sustaining growth on land and protecting our ocean resources at the same time providing for jobs opportunities for those that live here which facilitates proper stewardship of our resources.

The establishment with this office is a positive step toward necessary changes and coordinate efforts of sustainability with business which foster responsible grow and respecting and promoting domestic food supplies. The voters on the Island of Oahu voted for in an Office of sustainability at the County level. The state should do the same. However, I would like to make an amendment to the job description. Collaboration with various stakeholders in the community is important however, adding another position which is tasked with seeking out grants and writing grants which the State of Hawaii could qualify for. Other legislatures proposed similar recommendation through legislation having a so called "grant-master" I think that should be explored as well.

Ken Farm

Member-At Large
Neighborhood Board 15.
Kalihi-Palama

HB-2547

Submitted on: 2/2/2018 7:40:52 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DONNIE BECKER		Support	Yes

Comments:

HB-2547

Submitted on: 2/3/2018 4:31:29 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Castro		Support	No

Comments:

The word “Sustainability” isn’t just synonymous with the word “green,” but also words such as “innovation,” “improvement,” and “legacy.” These are the very words we want to embed and exude when people think of the State of Hawaii, and we are in a prime position to capitalize on that. The Office of Sustainability is a long overdue asset to Hawaii, and I can support this bill with the utmost confidence especially given the current State Sustainability Coordinator. Having an office as a point-of-contact for resources and political action makes sense, and is a place for accountability when it comes to some of our State’s sustainability efforts. A fully-funded office and staff would allow for more far-reaching effects across the State.

HB-2547

Submitted on: 2/3/2018 4:45:17 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Hawaiian Civic Club of Honolulu	Support	No

Comments:

HB-2547

Submitted on: 2/3/2018 8:56:03 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Furst		Support	No

Comments:

HB-2547

Submitted on: 2/3/2018 10:05:08 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Culina		Support	No

Comments:

HB-2547

Submitted on: 2/4/2018 8:17:08 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Debra Koonohiokala Norenberg		Support	No

Comments:

HB-2547

Submitted on: 2/4/2018 8:35:23 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Patients Without Time	Support	No

Comments:

I SUPPORT HB2264.

Hawaii State must prepare for emergencies. What if the boats stop coming? What if the ballistic missile does fall? What if oil, food, or medicine shipments stop?

HB-2547

Submitted on: 2/4/2018 3:10:40 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry		Support	No

Comments:

Aloha,

The time is NOW to establish a Hawai'i State Office of Sustainability and a Hawai'i Sustainability Act.

Mahalo for taking on your Kuliana and passing this important Bill!

Ms. Barbara Barry,

Ha'iku, HI

HB-2547

Submitted on: 2/4/2018 4:37:10 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren Ampolos		Support	No

Comments:

HB-2547

Submitted on: 2/4/2018 7:59:14 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tamara Paltin		Support	No

Comments:

Aloha Representatives,

With all that we are facing in regards to climate change, sea level rise and coastal erosion, we are behind the curve in making a real commitment to sustainability. Hawaii has the potential, we have been sustainable in the past and the technology is now available to make it a reality again.

Mahalo for the introduction and support of this measure

Tamara Paltin

808-870-0052

HB-2547

Submitted on: 2/4/2018 9:04:50 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Gonce	Self	Support	No

Comments:

Dear EEP Chair, Vice Chair, and Committee members,

HB2547 is a necessary step in moving Hawai'i towards becoming a sustainable city. Sustainability comes in many different varieties but we do know that this would be a great asset in addressing the difficult issues our state will be faced with in the near future. Please support this measure.

-Randy Gonce

Masters Student at Hawaii Pacific University studying Global Leadership in Sustainable Development

HB-2547

Submitted on: 2/4/2018 10:11:26 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack		Support	No

Comments:

HB-2547

Submitted on: 2/5/2018 7:10:20 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Gannon	West Hawaii CHC	Support	No

Comments:

I Joan Gannon, Chairperson of the Protect Marine Life Committee for the Democratic Party on Hawaii Island, support HB2547.

I ask the Committee on Energy and Environmental Protection to please pass HB2547.

Thank you Joan

HB-2547

Submitted on: 2/5/2018 8:43:41 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Kokua Hawaii Foundation	Support	No

Comments:

HB-2547

Submitted on: 2/5/2018 10:02:00 AM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph		Support	No

Comments:

Support

HB-2547

Submitted on: 2/5/2018 9:28:34 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Trisha Kehaulani Watson, JD, PhD	Honua Consulting	Support	No

Comments:

This is a critical bill and crucial in meeting the State's sustainability goals. Please pass this measure.

HB-2547

Submitted on: 2/5/2018 10:59:06 PM

Testimony for EEP on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachele Lamosao	Hawaii Farm Bureau Federation	Support	Yes

Comments: