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# 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. The legislature finds that not only is climate  
2 change real, but it is the overriding challenge of the twenty-  
3 first century and one of the priority issues of the State.

4 Climate change poses immediate and long-term threats to the  
5 Hawaii's economy, sustainability, security, and way of life.

6           The legislature recognized in Act 8, Special Session Laws  
7 of Hawaii 2005, that "many quality-of-life issues, including  
8 water quality, air quality, land use, energy, and ocean  
9 resources, are important to the people of Hawaii and should be  
10 the focus for planning Hawaii's future" and created the Hawaii  
11 2050 sustainability task force and the Hawaii 2050  
12 sustainability plan to "coordinate the actions needed to sustain  
13 a growing and vibrant economy, while maintaining a high quality  
14 of life for all residents and visitors."

15           The legislature recognized in Act 181, Session Laws of  
16 Hawaii 2011, that "[t]he creation of the Hawaii 2050  
17 sustainability plan comes as the State faces a growing number of



1 pressing issues, including the steady deterioration of public  
2 infrastructure, the lack of affordable housing, a continued  
3 reliance on a service-based economy, the vulnerability of Hawaii  
4 in a volatile global energy market, possible interruptions in  
5 travel and to critical food supplies, threats to fragile island  
6 ecosystems, ever-increasing numbers of residents, and an  
7 increasing number of visitors over the long-term." These issues  
8 all raise questions about the long-term limits of growth in the  
9 State and highlight the need to begin planning and coordinating  
10 state agencies to act to assure Hawaii's sustainable future.

11 The purpose of this Act is to:

- 12 (1) Establish a statewide sustainability division within  
13 the office of planning to ensure stronger, long-term  
14 planning, coordination, and implementation of Hawaii's  
15 sustainability goals;
- 16 (2) Update and reaffirm the role of the office of planning  
17 to coordinate among state agencies regarding climate  
18 change adaptation and sustainability; and
- 19 (3) Direct the state sustainability coordinator in the  
20 office of planning to conduct a study on implementing  
21 a "Green New Deal for Hawaii".



1 SECTION 2. Chapter 225M, Hawaii Revised Statutes is  
2 amended as follows:

3 1. By designating sections 225M-1 through 225M-3 as  
4 part I and inserting a title before section 225M-1 to read as  
5 follows:

6 "PART I. OFFICE OF PLANNING"

7 2. By adding a new part, to be appropriately designated  
8 and to read:

9 "PART II. SUSTAINABILITY DIVISION"

10 §225M-A Purpose. The purpose of this part is to promote  
11 and organize the State's sustainability goals, policies, and  
12 guidelines through a statewide sustainability division within  
13 the office of planning to protect the State's economy,  
14 environment, and way of life.

15 §225M-B Definitions. As used in this chapter:

16 "Division" means the statewide sustainability division  
17 established pursuant to section 225M-D.

18 "Sustainability" means using, developing, and protecting  
19 resources in a manner that enables people to meet current needs  
20 and adapt and become resilient to Hawaii's changing climate and  
21 ensures that future generations can also meet future needs, from



1 the joint perspective of environmental, economic, and socially  
2 equitable objectives.

3 §225M-C Findings and goals regarding sustainability. In  
4 addition to the priority guidelines and principles promoting  
5 sustainability set forth in section 226-108, the following  
6 criteria shall be the goals for the State regarding  
7 sustainability:

8 (1) The division shall assist state agencies to achieve  
9 the following objectives:

10 (A) Encourage state purchases to be made in a manner  
11 that serves the broad, long-term financial  
12 interests of the State, including ensuring that  
13 environmental, economic, and societal  
14 improvements are made to enhance environmental,  
15 economic, and societal well-being;

16 (B) Promote investments in facilities, equipment, and  
17 durable goods to reflect the highest feasible  
18 efficiency and lowest life-cycle costs;

19 (C) Promote investments and expenditures to improve  
20 the efficient use of energy, water, food  
21 security, and other resources;



- 1 (D) Encourage state operations in diverse locations,  
2 including rural and economically distressed  
3 communities;
- 4 (E) Encourage state operations and purchases to help  
5 maintain vital and active urban communities,  
6 including downtown areas;
- 7 (F) Promote state purchases to support opportunities  
8 for economically distressed communities and  
9 historically underemployed individuals;
- 10 (G) Support state operations to reflect partnerships  
11 with communities and businesses;
- 12 (H) Advocate for state operations to help reduce  
13 adverse effects on native habitats and species  
14 and help restore ecological processes;
- 15 (I) Improve state operations using methods that  
16 significantly increase the efficient use of  
17 energy, water, food security, and other  
18 resources;
- 19 (J) Encourage state operations and purchases to  
20 reflect the efficient use and reuse of resources



- 1                   and reduction of contaminants released into the
- 2                   environment; and
- 3           (K)   Coordinate and promote the United Nations
- 4                   sustainable development goals;
- 5       (2)   The division shall assist state agencies to support
- 6                   sustainable communities, and assist and encourage
- 7                   local communities to achieve the following objectives:
- 8           (A)   Resilient local economies that provide diverse
- 9                   economic opportunities for all residents;
- 10          (B)   Workers supported by lifelong education that will
- 11                   ensure a globally competitive workforce;
- 12          (C)   An independent and productive citizenry;
- 13          (D)   Youth supported by strong families and
- 14                   communities;
- 15          (E)   Urban communities, including downtown areas, that
- 16                   are active and vital;
- 17          (F)   Development that wisely and efficiently uses
- 18                   infrastructure, investments, and natural
- 19                   resources;
- 20          (G)   Affordable housing available for residents in
- 21                   community centers;



1 (H) Healthy urban and rural watersheds, including  
2 habitats for fish and wildlife;

3 (I) Clean and sufficient water for all uses; and

4 (J) Efficient use and reuse of resources and  
5 minimization of harmful emissions into the  
6 environment; and

7 (3) The division shall intensify efforts to increase the  
8 economic stability of communities that are designated  
9 as economically distressed.

10 **§225M-D Statewide sustainability division; established.**

11 The statewide sustainability division is established within the  
12 office of planning. The division shall have the following  
13 duties:

14 (1) Develop, organize, and promote policies and programs  
15 that assist in the meeting of sustainability goals  
16 established in this chapter, including Hawaii's  
17 numerous sustainability and climate policies and  
18 goals, and the priority guidelines and principles to  
19 promote sustainability set forth in section 226-108;

20 (2) Identify, evaluate, and make recommendations regarding  
21 proposed legislation, regulatory changes, or policy



1 modifications to the governor, the legislature,  
 2 government agencies, private entities, and other  
 3 bodies for the purpose of encouraging activities that  
 4 best sustain, protect, and enhance the quality of the  
 5 environment, economy, and community for the present  
 6 and future benefit of the people of Hawaii; and  
 7 (3) Develop and promote proposals that jointly and  
 8 mutually enhance local economies, the environment, and  
 9 community health for the present and future benefit of  
 10 the people of Hawaii."

11 SECTION 3. Section 225M-1, Hawaii Revised Statutes, is  
 12 amended to read as follows:

13 "**§225M-1 Purpose.** The purpose of this chapter is to  
 14 establish an office of planning to assist the governor and the  
 15 director of business, economic development, and tourism in  
 16 maintaining an overall framework to guide the development of the  
 17 State through a continuous process of comprehensive, long-range,  
 18 and strategic planning to meet the physical, economic, and  
 19 social needs of Hawaii's people, and provide for the wise use of  
 20 Hawaii's resources in a coordinated, efficient, and economical  
 21 manner, including the conservation of those natural,





1 environmental, recreational, scenic, historic, and other limited  
2 and irreplaceable resources [~~which~~] that are required for future  
3 generations.

4 The establishment of an office of planning in the  
5 department of business, economic development, and tourism, for  
6 administrative purposes, is intended to:

- 7 (1) Fix responsibility and accountability to successfully  
8 carry out statewide planning programs, policies, and  
9 priorities;
- 10 (2) Improve the efficiency and effectiveness of the  
11 operations of the executive branch;
- 12 (3) Ensure comprehensive planning and coordination to  
13 enhance the quality of life of the people of  
14 Hawaii [-]; and
- 15 (4) Coordinate the implementation of sustainability  
16 principles and policies that increase economic  
17 development while developing and protecting resources  
18 in a manner that enables individuals to meet their  
19 current needs and ensure that future generations can  
20 also meet their needs, from the joint perspective of  
21 environmental, economic, and community objectives,



1           through collaboration and cooperation between the  
2           public and private sectors."

3           SECTION 4. Section 225M-2, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5           "(b) The office of planning shall gather, analyze, and  
6 provide information to the governor to assist in the overall  
7 analysis and formulation of state policies and strategies to  
8 provide central direction and cohesion in the allocation of  
9 resources and effectuation of state activities and programs and  
10 effectively address current or emerging issues and  
11 opportunities. More specifically, the office shall engage in  
12 the following activities:

13           (1) State comprehensive planning and program coordination.  
14           Formulating and articulating comprehensive statewide  
15           goals, objectives, policies, and priorities, and  
16           coordinating their implementation through the  
17           statewide planning system established in part II of  
18           chapter 226;

19           (2) Strategic planning. Identifying and analyzing  
20           significant issues, problems, and opportunities  
21           confronting the State, and formulating strategies and



- 1 alternative courses of action in response to  
2 identified problems and opportunities by:
- 3 (A) Providing in-depth policy research, analysis, and  
4 recommendations on existing or potential areas of  
5 critical state concern;
  - 6 (B) Examining and evaluating the effectiveness of  
7 state programs in implementing state policies and  
8 priorities;
  - 9 (C) Monitoring through surveys, environmental  
10 scanning, and other techniques--current social,  
11 economic, and physical conditions and trends; and
  - 12 (D) Developing, in collaboration with affected public  
13 or private agencies and organizations,  
14 implementation plans and schedules and, where  
15 appropriate, assisting in the mobilization of  
16 resources to meet identified needs;
- 17 (3) Planning coordination and cooperation. Facilitating  
18 coordinated and cooperative planning and policy  
19 development and implementation activities among state  
20 agencies and between the state, county, and federal  
21 governments, by:



- 1 (A) Reviewing, assessing, and coordinating, as
- 2 necessary, major plans, programs, projects, and
- 3 regulatory activities existing or proposed by
- 4 state and county agencies;
- 5 (B) Formulating mechanisms to simplify, streamline,
- 6 or coordinate interagency development and
- 7 regulatory processes; and
- 8 (C) Recognizing the presence of federal defense and
- 9 security forces and agencies in the State as
- 10 important state concerns;
- 11 (4) Statewide planning and geographic information system.
- 12 Collecting, integrating, analyzing, maintaining, and
- 13 disseminating various forms of data and information,
- 14 including geospatial data and information, to further
- 15 effective state planning, policy analysis and
- 16 development, and delivery of government services by:
- 17 (A) Collecting, assembling, organizing, evaluating,
- 18 and classifying existing geospatial and non-
- 19 geospatial data and performing necessary basic
- 20 research, conversions, and integration to provide



1 a common database for governmental planning and  
2 geospatial analyses by state agencies;

3 (B) Planning, coordinating, and maintaining a  
4 comprehensive, shared statewide planning and  
5 geographic information system and associated  
6 geospatial database. The office shall be the  
7 lead agency responsible for coordinating the  
8 maintenance of the multi-agency, statewide  
9 planning and geographic information system and  
10 coordinating, collecting, integrating, and  
11 disseminating geospatial data sets that are used  
12 to support a variety of state agency applications  
13 and other spatial data analyses to enhance  
14 decision-making. The office shall promote and  
15 encourage free and open data sharing among and  
16 between all government agencies. To ensure the  
17 maintenance of a comprehensive, accurate, up-to-  
18 date geospatial data resource that can be drawn  
19 upon for decision-making related to essential  
20 public policy issues such as land use planning,  
21 resource management, homeland security, and the



1 overall health, safety, and well-being of  
2 Hawaii's citizens, and to avoid redundant data  
3 development efforts, state agencies shall provide  
4 to the shared system either their respective  
5 geospatial databases or, at a minimum, especially  
6 in cases of secure or confidential data sets that  
7 cannot be shared or must be restricted, metadata  
8 describing existing geospatial data. In cases  
9 where agencies provide restricted data, the  
10 office of planning shall ensure the security of  
11 that data; and

12 (C) Maintaining a centralized depository of state and  
13 national planning references;

14 (5) Land use planning. Developing and presenting the  
15 position of the State in all boundary change petitions  
16 and proceedings before the land use commission,  
17 assisting state agencies in the development and  
18 submittal of petitions for land use district boundary  
19 amendments, and conducting periodic reviews of the  
20 classification and districting of all lands in the  
21 State, as specified in chapter 205;



1 (6) Coastal and ocean policy management [---], and sea level  
2 rise adaptation coordination. Carrying out the lead  
3 agency responsibilities for the Hawaii coastal zone  
4 management program, as specified in chapter 205A.

5 Also:

6 (A) Developing and maintaining an ocean and coastal  
7 resources information, planning, and management  
8 system;

9 (B) Further developing and coordinating  
10 implementation of the ocean resources management  
11 plan; and

12 (C) Formulating ocean policies with respect to the  
13 exclusive economic zone, coral reefs, and  
14 national marine sanctuaries;

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

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

20 (B) The potential physical, social, economic, and  
21 environmental impact on these regions resulting



1 from increases in both resident populations and  
2 visitors;

3 (C) The maximum annual visitor carrying capacity for  
4 the State by region, county, and island; and

5 (D) The appropriate guidance and management of  
6 selected regions and areas of statewide critical  
7 concern.

8 The studies in subparagraphs (A) to (C) shall be  
9 conducted at appropriate intervals, but not less than  
10 once every five years;

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

16 (9) Climate adaptation and sustainability planning[?] and  
17 coordination. Conducting plans and studies and  
18 preparing reports as follows:

19 (A) Develop, monitor, and evaluate strategic climate  
20 adaptation plans and actionable policy  
21 recommendations for the State and counties





1           addressing expected statewide climate change  
2           impacts identified under [~~Act 286, Session Laws~~  
3           ~~of Hawaii 2012, through the year 2050;~~] chapter  
4           225P and sections 226-108 and 226-109; and  
5           (B) Provide planning and policy guidance and  
6           assistance to state and county agencies regarding  
7           climate change [~~;~~ and sustainability; and  
8           ~~(C) Publish its findings, recommendations, and~~  
9           ~~progress reports on actions taken no later than~~  
10           ~~December 31, 2017, and its annual report to the~~  
11           ~~governor and the legislature thereafter; and]~~  
12           (10) Smart growth and transit-oriented development. Acting  
13           as the lead agency to coordinate and advance smart  
14           growth and transit-oriented development planning  
15           within the State as follows:  
16           (A) Identify transit-oriented development  
17           opportunities shared between state and county  
18           agencies, including relevant initiatives such as  
19           the department of health's healthy Hawaii  
20           initiative and the Hawaii clean energy  
21           initiative;



- 1 (B) Refine the definition of "transit-oriented  
2 development" in the context of Hawaii, while  
3 recognizing the potential for smart growth  
4 development patterns in all locations;
- 5 (C) Clarify state goals for transit-oriented  
6 development and smart growth that support the  
7 principles of the Hawaii State Planning Act by  
8 preserving non-urbanized land, improving worker  
9 access to jobs, and reducing fuel consumption;
- 10 (D) Target transit-oriented development areas for  
11 significant increase in affordable housing and  
12 rental units;
- 13 (E) Conduct outreach to state agencies to help  
14 educate state employees about the ways they can  
15 support and benefit from transit-oriented  
16 development and the State's smart growth goals;
- 17 (F) Publicize coordinated state efforts that support  
18 smart growth, walkable neighborhoods, and  
19 transit-oriented development;
- 20 (G) Review state land use decision-making processes  
21 to identify ways to make transit-oriented



1           development a higher priority and facilitate  
 2           better and more proactive leadership in creating  
 3           walkable communities and employment districts,  
 4           even if transit will only be provided at a later  
 5           date; and

6           (H) Approve all state agencies' development plans for  
 7           parcels along the rail transit corridor. For the  
 8           purposes of this subparagraph, "development  
 9           plans" means conceptual land use plans that  
 10          identify the location and planned uses within a  
 11          defined area."

12          SECTION 5. Section 226-2, Hawaii Revised Statutes, is  
 13          amended by amending the definition of "sustainability" to read  
 14          as follows:

15          "~~Sustainability" [means achieving the following:~~  
 16          ~~(1) Respect of the culture, character, beauty, and history~~  
 17          ~~of the State's island communities;~~  
 18          ~~(2) Striking a balance between economic, social,~~  
 19          ~~community, and environmental priorities; and~~  
 20          ~~(3) Meeting the needs of the present without compromising~~  
 21          ~~the ability of future generations to meet their own~~



1           ~~needs.]~~ shall have the same meaning as in section  
2           225M-B."

3           SECTION 6. (a) The state sustainability coordinator in  
4 the office of planning shall complete a comprehensive study on  
5 implementing a green new deal for Hawaii.

6           (b) The green new deal study shall:

7           (1) Identify federal and international initiatives and  
8 policies for a green new deal, including any related  
9 costs and savings;

10          (2) Comprehensively review the State's economic  
11 resilience, efforts in environmental protection and  
12 growth, and protections for Hawaii's social and  
13 cultural equity;

14          (3) Determine and make detailed findings as to how the  
15 State can move forward to cost effectively take  
16 advantage of identified opportunities, including any  
17 related costs and savings to implement a Hawaii-based  
18 green new deal strategy; and

19          (4) Identify any legal and regulatory changes necessary to  
20 implement the findings determined pursuant to  
21 paragraph (3).



1 (c) The state sustainability coordinator in the office of  
 2 planning shall submit a progress report and a final report of  
 3 the coordinator's findings and recommendations, including any  
 4 proposed legislation, to the legislature no later than twenty  
 5 days prior to the convening of the regular session of 2021, and  
 6 regular session of 2022, respectively.

7 SECTION 7. There is appropriated out of the general  
 8 revenues of the State of Hawaii the sum of \$ or so  
 9 much thereof as may be necessary for fiscal year 2020-2021 for  
 10 the establishment and implementation of the statewide  
 11 sustainability division.

12 The sum appropriated shall be expended by the office of  
 13 planning for the purposes of this Act.

14 SECTION 8. There is appropriated out of the general  
 15 revenues of the State of Hawaii the sum of \$ or so  
 16 much thereof as may be necessary for fiscal year 2020-2021 for  
 17 the establishment of:

- 18 (1) One full-time equivalent (1.00 FTE) secretary III
- 19 position;
- 20 (2) Two full-time equivalent (2.00 FTE) planner IV
- 21 positions; and



1           (3) Two full-time equivalent (2.00 FTE) planner V  
2           positions,

3 to support the statewide sustainability division.

4           The sum appropriated shall be expended by the office of  
5 planning for the purposes of this Act.

6           SECTION 9. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$           or so  
8 much thereof as may be necessary for fiscal year 2020-2021 for  
9 the state sustainability coordinator in the office of planning  
10 to complete a comprehensive study on implementing a green new  
11 deal for Hawaii.

12           The sum appropriated shall be expended by the office of  
13 planning for the purposes of this Act.

14           SECTION 10. In codifying the new sections added by section  
15 2 of this Act, the revisor of statutes shall substitute  
16 appropriate section numbers for the letters used in designating  
17 the new sections in this Act.

18           SECTION 11. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



1 SECTION 12. This Act shall take effect on July 1, 2050;  
2 provided that sections 7, 8, and 9 shall take effect on July 1,  
3 2020.



**Report Title:**

Office of Planning; Statewide Planning; Climate Change; Sustainability; Statewide Sustainability Division; Green New Deal Study; Appropriation

**Description:**

Updates and reaffirms the role of the office of planning (OP) to coordinate among state agencies regarding climate change adaptation and sustainability. Establishes a statewide sustainability division within OP. Requires the state sustainability coordinator in OP to conduct a Green New Deal Study. Makes appropriations for establishment of the sustainability division, positions for the new division, and the study on implementing a Green New Deal in Hawaii. Effective 7/1/2050. (HD1)

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