

ACT 204

S. B. NO. 37

A Bill for an Act Relating to State Population and Planning.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**“CHAPTER
STATE POPULATION AND PLANNING**

Sec. -1 Findings and purpose. The State of Hawaii assumed a leadership role in the nation when it established the temporary commission on population stabilization. The temporary commission was an expression of the State’s interest and concern in our population growth and its impact on the quality of life of the Hawaiian people. Subsequent to Hawaii’s progressive approach to population and planning, a national commission on population growth and the American future was established by the Congress of the United States to address the implications of national growth. There is in Hawaii a widespread awareness that positive means and policies must be established to provide for a balancing between the steady natural increase of Hawaii’s population and the ability of the State to provide services, as well as accommodate the needs of its citizens. The legislature recognizes that population size and density alone are inadequate measurements regarding the desired equilibrium. Therefore, efforts must also be directed toward determining the optimal population capacities of the counties, as well as means of controlling the number of incoming residents. The legislature thus finds that a permanent commission on population and planning can play a vital role in the overall state planning process.

Sec. -2 State commission on population and the Hawaiian future. There is established a state commission on population and the Hawaiian future consisting of eleven members, not excluding state department heads, to be appointed by the governor. The governor shall appoint one member to serve as chairman.

Two of the members first appointed by the governor shall serve one year terms. Three shall serve two year terms, and three shall serve three year terms. Thereafter, the members shall serve for four year terms. The members of the

commission shall serve without compensation but shall be reimbursed for expenses, including travel expenses, incurred in the discharge of their duties on the commission. The commission shall implement this chapter and shall be placed in the office of the governor. The commission shall serve the governor in an advisory capacity on all matters relating to population and planning.

Sec. -3 Executive secretary. The commission shall appoint and employ, subject to chapters 76 and 77, an executive secretary and necessary staff to effectuate the purposes of this chapter.

Sec. -4 Responsibilities of the commission. The state commission on population and the Hawaiian future shall:

- (1) Study, research, and examine the effects and changes of population growth and in-migration on the attainment of state goals in the areas of health care, education, urban planning, transportation, housing, welfare and recreation;
- (2) Direct its focus on conducting research on migration in or out of the state and on developing means of influencing the population of the state and its distribution;
- (3) Calculate the capacity of the state with reference to agricultural production, waste production, recycling and regeneration time of natural resources, and technological advances in these areas;
- (4) Coordinate and expedite, in cooperation with the department of education and the University of Hawaii, all efforts in establishing population and environmental awareness and knowledge in current and new curricula in the educational system of the state;
- (5) Coordinate the establishment and conduct of effective family planning service delivery and contract or delegate the operational responsibility for such a comprehensive state family planning program to the appropriate state operating agency;
- (6) Study the interrelationship between the state, the United States, and the world with reference to this section;
- (7) Cooperate with the office of environmental quality control in matters involving their mutual areas of concern relating to population and its effects on the environment;
- (8) Consider and incorporate in its research already existing efforts in this area.
- (9) Apply for any available funds from the federal or other governmental agencies, to be used for purposes of this chapter;
- (10) Formulate policies and administrative mechanisms for the attainment of objectives under this section;
- (11) Hold public hearings and conferences, as often as it deems necessary.

Sec. -5 State agency cooperation. The commission may request from any state department or agency any information and assistance it deems necessary to carry out its functions. Each department or agency shall cooperate with the commission, and, to the extent permitted by law, furnish information and assistance to the commission upon request made by the chairman or any other member acting as chairman.

Sec. -6 Reports. The state commission on population and the Hawaiian future shall report to the governor, the legislature and the people of Hawaii as often as it deems necessary, but no less than once a year. The commission shall share its information and make recommendations to the state, governmental subdivisions thereof, and the government of the United States and cooperate with all groups concerned with demographic problems. Whenever possible, the commission shall work in conjunction with the Hawaii public broadcasting authority and other agencies and media providing for the distribution of public information to effectuate the purposes of this Act.

Sec. -7 Appropriation. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000, or so much thereof as may be necessary, for the purposes of this chapter. This sum shall not include those funds which the commission has independently derived, in accordance with Sec. -4(9) of this chapter.

Sec. -8 Severability. If any provision of this chapter, or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application and to this end the provisions of this chapter are severable.

Sec. -9 Construction. This chapter shall be liberally construed to effectuate its purposes.”

SECTION 2. This Act shall take effect upon its approval.

(Approved May 31, 1973.)