

ACT 299

S.B. NO. 3232

A Bill for an Act Relating to State Government.

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

SECTION 1. Chapter 225M, Hawaii Revised Statutes, is amended by amending sections 225M-1 to 225M-4 to read as follows:

“**[[§225M-1]] Purpose.** The purpose of this chapter is to establish an office of [state] planning 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 which are required for future generations.

The establishment of an office of [state] planning in the [office of the governor] department of business, economic development, and tourism, for administrative purposes, is intended to:

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

§225M-2 Office of [state] planning, establishment; responsibilities. (a) There is established within the [office of the governor] the department of business, economic development, and tourism an office of [state] planning. The head of the office shall be known as the director of the office of [state] planning, hereinafter referred to as director. The director shall have: training in the field of urban or regional planning, public administration, or other related fields; experience in programs or services related to governmental planning; and experience in a supervisory, consultative, or administrative capacity. The director shall be appointed by the governor without regard to chapters 76 and 77, and shall be compensated at a salary level set by the governor. The director shall be included in any benefit program generally applicable to the officers and employees of the State. The director shall

retain such staff as may be necessary for the purposes of this chapter, in conformity with chapters 76 and 77.

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

- (1) [Comprehensive] State comprehensive planning and program coordination. Formulating and articulating comprehensive statewide goals, objectives, policies, and priorities, and coordinating their implementation through the statewide planning system established in part II of chapter 226;
- (2) Strategic planning. Identifying and analyzing significant issues, problems, and opportunities confronting the State, and formulating strategies and alternative courses of action in response to identified problems and opportunities by:
 - (A) Providing in-depth policy research, analysis, and recommendations on existing or potential areas of critical state concern;
 - (B) Examining and evaluating the effectiveness of state programs in implementing state policies and priorities;
 - (C) Monitoring through surveys, environmental scanning, and other techniques—current social, economic, and physical conditions and trends; and
 - (D) Developing, in collaboration with affected public or private agencies and organizations, implementation plans and schedules and, where appropriate, assisting in the mobilization of resources to meet identified needs;
- [(3)] Population planning. Planning for the management of the State's population size, rate of growth, and distribution through research, coordination, and technical assistance to state and county agencies;
- (4) Intergovernmental] (3) Planning coordination and cooperation. Facilitating coordinated and cooperative planning and policy development and implementation activities among state agencies, and between the state, county, and federal governments, by:
 - (A) Reviewing, assessing, and coordinating, as necessary, major plans, programs, projects, and regulatory activities existing or proposed by state and county agencies; and
 - (B) Formulating mechanisms to simplify, streamline, or coordinate interagency development and regulatory processes;
- [(5)] (4) [Collection and dissemination of] Planning information[.] system. Collecting, analyzing, maintaining, and disseminating data and information to further effective state planning, policy analysis and development, and delivery of government services by:
 - (A) Assembling, organizing, evaluating, and classifying existing data and performing necessary basic research in order to provide a common data base for governmental planning; [and]
 - (B) Planning, developing, implementing, and coordinating a statewide planning and geographic information system. The office shall be the lead agency responsible for planning and coordinating the establishment of a multi-agency, statewide geographic information system and the development of planning applications including spatial data analyses to enhance decision making; and

- [(B)] (C) Maintaining a centralized depository of state and national planning references;
- [(6)] Capital investment planning.
 - (A) In cooperation with the director of finance, establishing guidelines and criteria for capital improvement project appropriation proposals consistent with statewide planning goals and objectives and executive priorities; and
 - (B) Reviewing, in cooperation with the various state departments, the general and development plans of each county to identify statewide interests and to determine state capital improvement project needs of the plans;

In furtherance of these responsibilities, before each regular session of the legislature, the director of finance shall supply the governor with copies of the various capital improvement budget requests submitted by state agencies for inclusion in the proposed state executive budget. The director of finance shall also supply the governor with a list of proposed public works to be financed during the succeeding six years. Each county shall similarly provide the governor with a list of necessary capital improvements it expects to have financed during the succeeding six years. In preparing the lists, the counties shall indicate the contemplated means of financing each project. The office of state planning shall review the various capital improvement budget requests in relation to chapter 226 and any goals and objectives which the governor may prescribe. The office of state planning shall advise the governor on the various capital improvement budget requests and shall assist the governor as directed in formulating the capital improvements program;
- (7) (5) Land use planning. Developing and presenting the position of the State in all boundary change petitions and proceedings before the land use commission, assisting state agencies in the development and submittal of petitions for land use district boundary amendments, and conducting periodic reviews of the classification and districting of all lands in the State, as specified in chapter 205;
- [(8)] (6) Coastal and ocean policy management. Carrying out the lead agency responsibilities for the Hawaii coastal zone management program, as specified in chapter 205A. Also, developing and maintaining an ocean and coastal resources information, planning, and management system[; and] further developing and coordinating implementation of the ocean resources management plan, and formulating ocean policies with respect to the exclusive economic zone, coral reefs, and national marine sanctuaries;
- [(9)] (7) Regional planning and studies. Conducting plans and studies to determine:
 - (A) The capability of various regions within the State to support projected increases in both resident populations and visitors;
 - (B) The potential physical, social, economic, and environmental impact on these regions resulting from increases in both resident populations and visitors; [and]
 - (C) The maximum annual visitor carrying capacity for the State by region, county, and island[.]; and
 - (D) The appropriate guidance and management of selected regions and areas of statewide critical concern.

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

- (8) Regional, national, and international planning. Participating in and assuring that state plans, policies, and objectives are consistent, to the extent practicable, with regional, national, and international planning efforts.

[[§225M-3]] Cooperation. The office of [state] planning shall seek the widest possible cooperation from public and private agencies and individuals and the federal government to achieve the purposes of this chapter. It shall work closely with and assist the counties in the promotion of coordinated state and county planning.

Every state department, county agency, or other public or private agencies or individuals providing planning programs and services shall be encouraged to participate actively in the activities of the office of [state] planning. The executive heads of all state departments and agencies shall cooperate with the office of [state] planning by providing information as the governor [deems] and the director of business, economic development, and tourism necessary for the effective discharge of its duties.

Nothing in this chapter shall be deemed to delegate or detract in any way from the functions, powers, and duties conferred by law on any department or agency of the State or county.

[[§225M-4]] Allocation of funds. Any of the agencies of the State to which general or special appropriations are made, or a part of whose budget contains an allocation, or which makes an allocation of funds for planning and research, shall consult with the office of [state] planning to ensure that all expenditures are in accordance with, or in furtherance of the goals and objectives of the Hawaii State Plan. [The] After first consulting with the director of business, economic development, and tourism, the governor may withhold the expenditure of these funds by any agency until the governor is satisfied that the expenditures will implement those goals and objectives.

SECTION 2. All rights, powers, functions and duties of the office of state planning are transferred from the office of the governor and placed in the department of business, economic development, and tourism for administrative purposes only and the office shall be renamed as the office of planning.

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

No officer or employee of the office of state planning having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

SECTION 3. The Hawaii Revised Statutes is amended by replacing all references to "office of state planning" or like references with "office of planning," or like references, and "director of the office of state planning" or like references with "director of the office of planning" or like references, as the context requires.

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved July 1, 1996.)