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Environmental Center

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SB 603 SD 2 HD 1 RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION

House Committee on Finance
Public Hearing - April 5, 1993
2:00 P.M., Room 908 SOT

By

John T. Harrison, Environmental Center
Doak C. Cox, Emeritus, Environmental Center
M. Casey Jarman, Richardson School of Law
Charles Lamoureux, Lyon Arboretum
Kem Lowry, Urban and Regional Planning
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SB 603 SD 2 HD 1 outlines phased activities directed towards the establishment of a Department of Environmental Protection (DEP), including an update of the 1985 report prepared by the Legislative Reference Bureau on the Feasibility of Environmental Reorganization in Hawaii, examination of funding mechanisms for establishing a new DEP, and a requirement that the governor prepare an organizational and functional plan and appoint a steering committee to address implementation of the new department.

Our reviewers are unanimous in their support of the need for a Department of Environmental Protection. The task force convened pursuant to the direction of the 1991 Legislature acknowledged the need for this department and deferred its creation only due to funding constraints. Although earlier drafts of SB 603 restated the need for further task force deliberation on this matter, the present draft adopts a more strategic, long range planning policy which looks towards establishment of the new department in FY 1996.

Under existing budgetary conditions, the phased planning policy is well-conceived. The LRB review specifically is directed towards placing environmental management in Hawaii in a comparative context with that in other states, and the LRB also is directed to examine both costs and potential fiscal benefits of establishing a DEP. Since LRB personnel who worked on the prior report remain at the Bureau, updating and expanding the prior study should be a straightforward task requiring minimal resource allocation within LRB. Those members of the University community who served on the original DEP Task Force are available for consultation by LRB if needed.

Following next year's Legislative session, the governor is requested to prepare a functional and organizational plan and appoint a steering committee to implement the new department. We note that the organizational plan already has been largely developed by the Task Force in several formats. Consequently, the majority of organizational work required will be in derivation of transitional strategies.

Proposals to create a separate DEP or its functional equivalent have been introduced on many prior occasions dating back to 1972 when SB 1584 was considered by the Sixth Legislature. After more than 21 years of considering the comparative merits of such a reorganization, we remain strongly convinced of the need for this department. SB 603 in its present form seeks no funding allocation and builds upon an extensive existing body of information leading towards a prudent and rational course of decisionmaking. We strongly support its passage.