



University of Hawaii at Manoa

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Office of the Director

March 19, 1980
RL:0393

Senator Dennis O'Connor
Chairman, Senate Committee on Judiciary
State Capitol
Honolulu, Hawaii 96813

Dear Senator O'Connor:

HB 1758, SD 1

We understand that your committee has had a hearing on HB 1758, SD 1 relating to transfer of programs, but has not yet reached a decision on this bill. Because the title of the bill does not suggest its importance to environmental management, we did not spot it as one on which we should prepare a statement. However, the Office of Environmental Quality Control and the Environmental Quality Commission are among those whose transfers would have been effected by the original bill. We have not yet been able to obtain a copy of SD 1 of the bill, but we understand that it still provides for the transfer of these agencies.

We are sending you copies of a statement on the senate companion bill, SB 1731, which we prepared for your committee last year, indicating that we consider the proposed transfer of these agencies unwise and providing reasons for retaining them in the Office of the Governor. We hope that your committee will take our comments into account in reaching its decision on the bill.

Yours very truly,

Doak C. Cox
Director

DCC/lmk



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HB 1758
RELATING TO TRANSFER OF PROGRAMS

Statement for
House Committee on
Public Employment and Government Efficiency
Public Hearing, 26 February 1979

HB 1758 proposes to transfer two environmental programs from the Governor's Office to the Department of Health. The same transfer is called for in SB 1731. The attached Environmental Center statement (RL:0346) on this provision in the Senate companion bill pertains to HB 1677 as well.



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RL:0346

SB 1731 RELATING TO TRANSFER OF PROGRAMS

Statement for
Senate Committee on
Judiciary
Public Hearing, 2 March 1979

By
Doak C. Cox
Environmental Center

SB 1731 proposes a number of program transfers within the State administration. This statement, which deals with only two of the proposed transfers, does not reflect an institutional position of the University.

The two transfers of concern to the Environmental Center are those which would affect the Office of Environmental Quality Control (OEQC) and the Environmental Quality Commission (EQC). Both are now placed administratively in the Office of the Governor. By SB 1731 they would be placed in the Department of Health (DOH).

There are, then, substantial reasons for retaining the OEQC and the EQC in the Governor's Office, reasons much more substantial than those for placing them in the DOH.

One reason for the proposed change is suggested by the fact that these two programs, as well as two others proposed for transfer, are identified in the bill as "Health" programs. It is true that there are very important health aspects of environmental quality. It is also true that the Department of Health has very important "environmental health" responsibilities, and that these encompass, not merely human health aspects of environmental quality but the aspects of pollution control related to human welfare in a very broad way. However, few departments of the State government are not concerned with environmental matters.

The Department of Land and Natural Resources (DLNR), especially, is responsible for the conservation of both natural resources and historical resources. These resources are part of the environment with which the OEQC and EQC are concerned. The Department of Transportation (DOT) has certain environmental responsibilities with respect to the coastal waters. The Department of Defense has responsibilities for natural hazard management. And there is hardly a department that has programs that impact on environmental quality.

When the OEQC and our Environmental Center were established, a working group composed of representatives of the Governor's Office, the Legislature, and the University gave a great deal of thought to the most effective missions, constitution, and placement of the two institutions. Recognizing the diversity of placement of other environmental responsibilities, the group considered that both institutions should be responsible more for coordination than for direct management, and that the OEQC should be placed in the Office of the Governor, where its coordinating role would be most effective. No question was raised in the Legislature as to this placement.

The EQC was placed in the Governor's Office for the reasons that the OEQC was there.

If the organizational pattern of the State administration were not what it is, a different placement of the OEQC and EQC might be effective. For example, if the economic development responsibilities of the Department of Planning and Economic Development were in a separate department, and there were a Department of Planning responsible for all aspects of planning and not especially weighted toward economic development, the OEQC would logically be attached to that department.

It is very doubtful that an office in one department could be as effective as an office in the Governor's Office in coordinating matters among departments. It is especially doubtful that the OEQC, if placed in the Department of Health would be as effective, and as impartial, in coordinating environmental practices and policy developments between the DOH and, say, the DLNR, as it is with its present placement. If anything, the EQC and OEQC should be tied together more closely.

There are, then, substantial reasons for retaining the OEQC and the EQC in the Governor's Office, reasons much more substantial than those for placing them in the DOH.