



GOV. MSG. NO. 1055

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 10, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith HB1270 HD2 SD2 CD2, without my approval, and with the statement of objections relating to the measure.

HB1270 HD2 SD2 CD2

A BILL FOR AN ACT RELATING TO STATE
PLANNING.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE

P R O C L A M A T I O N

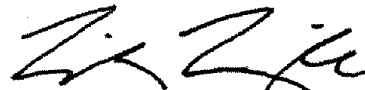
WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1270, entitled "A Bill for an Act Relating to State Planning," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1270 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1270 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 25th
day of June, 2007.



LINDA LINGLE
Governor of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1270

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1270, entitled "A Bill for an Act Relating to State Planning."

The purpose of this bill is to revise the due date of completion of the Hawaii 2050 Sustainability Plan, appropriate an additional \$850,000 to the Office of the Auditor to develop the plan, and set up a special fund for the Office of Planning's geographic information system (GIS).

Although the enhancement of the GIS system is important, this bill is objectionable because it fails to recognize the proper location and logical nexus for development of the Hawaii 2050 Sustainability Plan.

Assigning the Office of the Auditor with the responsibility for developing the Hawaii 2050 Sustainability Plan is not consistent with the Auditor's primary duties and is an inappropriate function of that office. Pursuant to section 23-4, Hawaii Revised Statutes, the Auditor's primary duties are "to conduct post audits of the transactions, accounts, programs, and performance of all departments, offices, and agencies of the State and its political subdivisions" and "examinations to discover evidence of any

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 1270
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unauthorized, illegal, irregular, improper, or unsafe handling or expenditure of state funds or improper practice of financial administration." The Office of Planning is responsible for comprehensive, long-range, and strategic planning, pursuant to chapter 225M, Hawaii Revised Statutes, and is the more appropriate agency to develop the Hawaii 2050 Sustainability Plan.

Second, this bill further delays the issuance of the sustainability report. The original report was due prior to the start of the 2006 legislative session. Act 211 of 2006 delayed this deadline to the 2007 legislative session. This bill further postpones the deadline to the start of the 2008 legislative session.

These delays have occurred despite the appropriation of \$850,000 for this project. This measure proposes to appropriate an additional \$850,000 to the Auditor's Office for the Hawaii 2050 Sustainability Plan. If approved, this measure would appropriate a total of \$1,700,000 for this project. It is unclear that the project merits the expenditure of an additional \$850,000 of taxpayer funds.

For the foregoing reasons, I am returning House Bill No. 1270 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read 'L. Lingle', is written over the printed name.

LINDA LINGLE
Governor of Hawaii

A BILL FOR AN ACT

RELATING TO STATE PLANNING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. The purpose of this part is to:

- (1) Update the duties and responsibilities of the office of planning in managing and coordinating a statewide geospatial information and data integration program;
- (2) Stress the importance of data sharing among government agencies to maintain a comprehensive data resource that can be drawn upon for decision-making related to such essential public policy issues as land use planning, resource management, homeland security, and the overall health, safety, and well-being of Hawaii's residents; and
- (3) Establish a special fund to help support the operation and maintenance of the program and enable the office of planning to collect moneys to facilitate operational aspects of the statewide planning and geographic information system and charge fees for spatial analysis services.



1 SECTION 2. Chapter 225M, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§225M- Statewide geospatial information and data
5 integration special fund. (a) There is established in the
6 state treasury the statewide geospatial information and data
7 integration special fund, into which shall be deposited:

8 (1) Moneys directed, allocated, or disbursed to the
9 statewide geospatial information and data integration
10 program from other government agencies or private
11 sources to help support the acquisition of hardware,
12 software, applications, and databases;

13 (2) Moneys directed, allocated, or disbursed to the
14 statewide geospatial technologies program from non-
15 state sources, including but not limited to grants,
16 awards, and donations;

17 (3) Moneys collected as fees for statewide planning and
18 geographic information system services rendered; and

19 (4) Investment earnings credited to the assets of the fund
20 and all interest on special fund balances.

21 (b) The statewide geospatial information and data
22 integration special fund shall be used to help defray the cost



1 of, including but not limited to the following:

- 2 (1) Programs and activities to implement this chapter,
3 including the provision of state funds to match
4 federal funds from the United States Geological Survey
5 or other federal departments; and
- 6 (2) Operating costs of the statewide planning and
7 geographic information system, including acquisition
8 and maintenance of hardware or software necessary to
9 implement this chapter, acquisition and maintenance of
10 geospatial and other data, application development,
11 training, and other products or services of general
12 benefit to the statewide geospatial information and
13 data integration program and its stakeholders."

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

16 "(b) The office of planning shall gather, analyze, and
17 provide information to the governor to assist in the overall
18 analysis and formulation of state policies and strategies to
19 provide central direction and cohesion in the allocation of
20 resources and effectuation of state activities and programs and
21 effectively address current or emerging issues and



1 opportunities. More specifically, the office shall engage in
2 the following activities:

3 (1) State comprehensive planning and program coordination.

4 Formulating and articulating comprehensive statewide
5 goals, objectives, policies, and priorities, and
6 coordinating their implementation through the
7 statewide planning system established in part II of
8 chapter 226;

9 (2) Strategic planning. Identifying and analyzing
10 significant issues, problems, and opportunities
11 confronting the State, and formulating strategies and
12 alternative courses of action in response to
13 identified problems and opportunities by:

14 (A) Providing in-depth policy research, analysis, and
15 recommendations on existing or potential areas of
16 critical state concern;

17 (B) Examining and evaluating the effectiveness of
18 state programs in implementing state policies and
19 priorities;

20 (C) Monitoring through surveys, environmental
21 scanning, and other techniques--current social,
22 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) 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;

(B) Formulating mechanisms to simplify, streamline, or coordinate interagency development and regulatory processes; and

(C) Recognizing the presence of federal defense and security forces and agencies in the State as important state concerns;

(4) ~~[Planning]~~ Statewide planning and geographic information system. Collecting, integrating,



1 analyzing, maintaining, and disseminating various
2 forms of data and information, including geospatial
3 data and information, to further effective state
4 planning, policy analysis and development, and
5 delivery of government services by:

6 (A) [~~Assembling,~~] Collecting, assembling, organizing,
7 evaluating, and classifying existing geospatial
8 and non-geospatial data and performing necessary
9 basic research [~~in order~~], conversions, and
10 integration to provide a common data base for
11 governmental planning[+] and geospatial analyses
12 by state agencies;

13 (B) Planning, [~~developing, implementing, and~~]
14 coordinating, and maintaining a comprehensive,
15 shared statewide planning and geographic
16 information system[+] and associated geospatial
17 database. The office shall be the lead agency
18 responsible for [~~planning and~~] coordinating the
19 [~~establishment~~] maintenance of [a] the multi-
20 agency, statewide planning and geographic
21 information system and [~~the development of~~
22 planning] coordinating, collecting, integrating,



1 and disseminating geospatial data sets that are
2 used to support a variety of state agency
3 applications[~~, including~~] and other spatial data
4 analyses to enhance decision making[+]. The
5 office shall promote and encourage free and open
6 data sharing among and between all government
7 agencies. To ensure the maintenance of a
8 comprehensive, accurate, up-to-date geospatial
9 data resource that can be drawn upon for
10 decision-making related to essential public
11 policy issues such as land use planning, resource
12 management, homeland security, and the overall
13 health, safety, and well-being of Hawaii's
14 citizens, and to avoid redundant data development
15 efforts, state agencies shall provide to the
16 shared system either their respective geospatial
17 databases or, at a minimum, especially in cases
18 of secure or confidential data sets that cannot
19 be shared or must be restricted, metadata
20 describing existing geospatial data. In cases
21 where agencies provide restricted data, the



1 office of planning shall ensure the security of
2 that data; and

3 (C) Maintaining a centralized depository of state and
4 national planning references;

5 (5) Land use planning. Developing and presenting the
6 position of the State in all boundary change petitions
7 and proceedings before the land use commission,
8 assisting state agencies in the development and
9 submittal of petitions for land use district boundary
10 amendments, and conducting periodic reviews of the
11 classification and districting of all lands in the
12 [~~State,~~] state, as specified in chapter 205;

13 (6) Coastal and ocean policy management. Carrying out the
14 lead agency responsibilities for the Hawaii coastal
15 zone management program, as specified in chapter 205A.
16 Also, developing and maintaining an ocean and coastal
17 resources information, planning, and management system
18 further developing and coordinating implementation of
19 the ocean resources management plan, and formulating
20 ocean policies with respect to the exclusive economic
21 zone, coral reefs, and national marine sanctuaries;



1 (7) Regional planning and studies. Conducting plans and
2 studies to determine:

3 (A) The capability of various regions within the
4 [~~State~~] state to support projected increases in
5 both resident populations and visitors;

6 (B) The potential physical, social, economic, and
7 environmental impact on these regions resulting
8 from increases in both resident populations and
9 visitors;

10 (C) The maximum annual visitor carrying capacity for
11 the [~~State~~] state by region, county, and island;
12 and

13 (D) The appropriate guidance and management of
14 selected regions and areas of statewide critical
15 concern.

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

19 (8) Regional, national, and international planning.

20 Participating in and ensuring that state plans,
21 policies, and objectives are consistent, to the extent



1 practicable, with regional, national, and
2 international planning efforts."

3 SECTION 4. Section 225M-6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§225M-6 Fees for statewide planning and geographic
6 information system services[-] and products. The office of
7 planning may charge fees for statewide planning and geographic
8 information system services and products. All fees collected
9 for statewide planning and geographic information system
10 analyses and other related services shall be deposited into the
11 statewide geospatial information and data integration special
12 fund for the sole purpose of supporting the statewide planning
13 and geographic information system. The office shall adopt rules
14 setting fees for statewide planning and geographic information
15 system services and products."

16 SECTION 5. There is appropriated out of the statewide
17 geospatial information and data integration special fund created
18 in section 2 of this part the sum of \$500,000 or so much or so
19 much thereof as may be necessary for fiscal year 2007-2008 and
20 the same sum or so much thereof as may be necessary for fiscal
21 year 2008-2009 for the purposes of the statewide geospatial
22 information and data integration special fund.

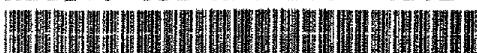


1 The sums appropriated shall be expended by the office of
2 planning of the department of business, economic development,
3 and tourism for the purposes of the statewide geospatial
4 information and data integration special fund.

5 PART II

6 SECTION 6. During the 2005 special session, the
7 legislature adopted Act 8, Special Session Laws of Hawaii 2005,
8 which created the Hawaii 2050 task force to review the Hawaii
9 state plan and the State's planning process, and required the
10 office of the auditor to prepare and submit to the legislature
11 the Hawaii 2050 sustainability plan. In 2006, the legislature
12 adopted Act 210, Session Laws of Hawaii 2006, which extended the
13 life of the task force after the members recommended in their
14 report before the 2006 regular session that more time was
15 required to perform necessary research and community outreach to
16 create the Hawaii 2050 sustainability plan.

17 The task force continued to hold several meetings
18 throughout the 2006 legislative interim and launched a
19 successful sustainability kick-off event in August 2006, that
20 was attended by several sectors of the community statewide. The
21 Hawaii 2050 sustainability kick-off event launched community



1 engagement and public education activities throughout the state
2 during the fall of 2006.

3 The purpose of this part is to appropriate moneys to
4 provide additional funding for the Hawaii 2050 task force to
5 develop the Hawaii 2050 plan.

6 SECTION 7. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$850,000 or so much
8 thereof as may be necessary for fiscal year 2007-2008 to provide
9 additional funding for the Hawaii 2050 task force to develop a
10 Hawaii 2050 sustainability plan to be submitted to the
11 legislature before the convening of the 2008 regular session.

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

14 PART III

15 SECTION 8. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 9. This Act shall take effect on July 1, 2007.

