



GOV. MSG. NO. 1322

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 11, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

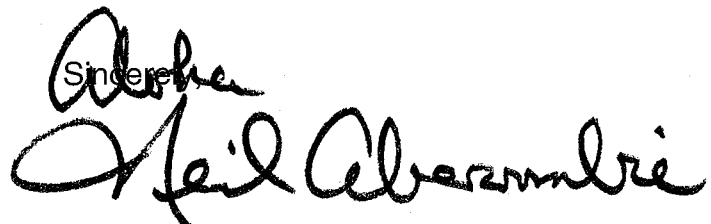
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 11, 2011, the following bill was signed into law:

SB1213 SD1 HD1 CD1

RELATING TO PERMITTING
Act 218 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on JUL 11 2011

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

ACT 218
S.B. NO. 1213
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO PERMITTING.

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

1 SECTION 1. The legislature finds that currently, an
2 applicant for a building permit must submit an application to
3 each agency that has jurisdiction over a certain aspect of the
4 project. Many times, this means that an applicant must wait for
5 approval from one agency before submitting an application to
6 another agency for approval of another aspect of the project.
7 At times, an agency may decline to approve an aspect of a
8 project that was approved by another agency that reviewed an
9 application related to the project. Other times, an application
10 may be declined without an explanation as to why it was
11 rejected.

12 President Obama recently issued an executive order
13 directing federal agencies to reduce regulatory burdens on small
14 businesses and foster economic growth while protecting the
15 health and safety of all Americans. The executive order
16 requires federal agencies to "tailor" their regulations in such
17 a way as to minimize costs to businesses while achieving the
18 objectives of the federal agencies. In short, federal agencies

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1 must consider costs and benefits of possible regulations and
2 choose the least burdensome path.

3 Under the executive order, federal agencies must attempt to
4 coordinate, simplify, and harmonize regulations to reduce costs
5 and promote certainty for businesses and the public. Federal
6 regulations must also be necessary and up to date - outdated
7 regulations are to be amended or repealed. President Obama also
8 directed federal agencies to increase their flexibility, known
9 as regulatory flexibility, in implementing regulations since
10 regulations may impose substantial compliance costs on small
11 businesses. Whereas large businesses may be able to absorb the
12 costs of compliance with minimal impact, smaller businesses may
13 find these same regulations to be financially burdensome.
14 Overall, the initiative is part of an ongoing effort to improve
15 governmental efficiency.

16 The legislature finds that Hawaii should undertake a
17 similar review of state and county administrative rules
18 affecting businesses with a view to streamline the approval
19 process for businesses by amending or repealing rules that may
20 impose burdensome or unnecessary costs to businesses.

21 The purpose of this Act is to create a temporary task force
22 to study and make recommendations on state and county



1 administrative rules, particularly those relating to county
2 building permits, with a view toward streamlining the approval
3 process for businesses.

4 SECTION 2. (a) The comptroller, with the assistance of
5 the director of the department of planning and permitting of the
6 city and county of Honolulu, shall convene the initial meeting
7 of a temporary task force to review and identify state and
8 county administrative rules affecting businesses, particularly
9 with regard to county building permits, with a view toward
10 streamlining the approval process for businesses through the
11 amending or repealing of rules that may impose burdensome or
12 unnecessary costs for businesses of all sizes but especially for
13 smaller businesses. At the initial meeting, the members shall
14 select a member from among them to serve as chairperson of the
15 task force.

16 (b) The task force shall be composed of the:

17 (1) President of the Building Industry Association of
18 Hawaii;

19 (2) Executive director of the Pacific Resource
20 Partnership;

21 (3) Director of transportation;



- 1 (4) Chairperson of the board of land and natural
- 2 resources;
- 3 (5) Director of business, economic development, and
- 4 tourism;
- 5 (6) Comptroller;
- 6 (7) Director of the department of planning and permitting
- 7 of the city and county of Honolulu;
- 8 (8) Director of the department of planning of the county
- 9 of Maui;
- 10 (9) Director of the department of planning of the county
- 11 of Kauai; and
- 12 (10) Director of the department of planning of the county
- 13 of Hawaii;

14 provided that each member may select a designee to serve on the
15 task force.

16 (c) The task force shall make recommendations to the
17 governor, the mayor of each county, and the heads of state and
18 county agencies on any administrative rules that need to be
19 amended or repealed in the interest of streamlining government
20 for efficiency and responsiveness to businesses.

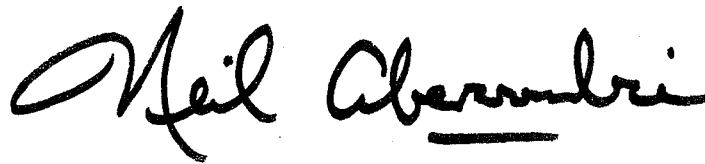
21 (d) The task force shall report to the legislature the
22 findings and recommendations of the temporary task force no



1 later than twenty days prior to the convening of the regular
2 session of 2012.

3 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 11 day of JUL, 2011

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive style with a prominent loop at the beginning of the first name and a horizontal line under the second name.

GOVERNOR OF THE STATE OF HAWAII