



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

July 8, 2014

**GOV. MSG. NO. 1308**

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of  
the House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

I am transmitting herewith SB2431 SD1 HD1, without my approval, and with the statement of objections relating to the measure.

SB2431 SD1 HD1

RELATING TO THE HAWAII TOURISM  
AUTHORITY

*Sincerely,*  
A handwritten signature in black ink that reads "Neil Abercrombie".

NEIL ABERCROMBIE  
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2014

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2431

Honorable Members  
Twenty-Seventh 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, Senate Bill No. 2431, entitled "A Bill for an Act Relating to the Hawaii Tourism Authority."

The purpose of this bill is to make permanent the provisions of Act 58, Session Laws of Hawaii 2004. Under this bill, the Hawaii Tourism Authority (HTA) would continue to be able to deposit revenues and interest derived by HTA from any project into the Tourism Special Fund. Also, the HTA's Executive Director would continue to be subject to the State's retirement system. Finally, this bill would permanently exempt the HTA from the Comptroller's account supervision, while allowing the Comptroller to request that the HTA provide information when preparing the Comptroller's annual publication of statements and subjecting the HTA to accounting form requirements (for uniform business and accounting forms in statewide use).

This bill is objectionable because it makes permanent those provisions of Act 58 that exempt the HTA from the Comptroller's account supervision. This exemption was created by the Legislature in 2004 as a temporary exemption, with a sunset date of June 30, 2015. This bill, which proposes to repeal that sunset date, permanently takes away the checks and balances that ensure transparency in the operations of executive branch agencies that the Comptroller's account supervision provides.

Since all the provisions of Act 58 mentioned above survive until June 30, 2015, even without this bill becoming law, the Legislature will still have an opportunity to introduce legislation during the regular session of 2015 to repeal the sunset date for

STATEMENT OF OBJECTIONS  
SENATE BILL NO. 2431  
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any of the unobjectionable provisions of that Act.

For the foregoing reasons, I am returning Senate Bill No. 2431 without my approval.

*Aloha,*  
Respectfully,  
*Neil Abercrombie*

NEIL ABERCROMBIE  
Governor of Hawaii

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# A BILL FOR AN ACT

RELATING TO THE HAWAII TOURISM AUTHORITY.

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

1 SECTION 1. Act 58, Session Laws of Hawaii 2004, section  
2 14, as amended by section 50 of Act 22, Session Laws of Hawaii  
3 2005, as amended by section 1 of Act 306, Session Laws of Hawaii  
4 2006, as amended by section 12 of Act 5, Special Session Laws of  
5 Hawaii 2009, as amended by section 5 of Act 102, Session Laws of  
6 Hawaii 2010, is amended to read as follows:

7 "SECTION 14. This Act shall take effect upon its approval;  
8 provided that:

9 (1) The amendments made to sections 40-1, 40-4, and 40-6,  
10 Hawaii Revised Statutes, by part I of this Act shall  
11 not be repealed when those sections are reenacted on  
12 June 30, 2006, by section 1 of Act 137, Session Laws  
13 of Hawaii 2005;

14 ~~[(2) Sections 3, 4, 5, 6, and 7 of part I shall be repealed~~  
15 ~~on June 30, 2015, and:~~

16 ~~(A) Sections 201B-2 and 201B-11, Hawaii Revised~~  
17 ~~Statutes, shall be reenacted in the form in which~~  
18 ~~they read on May 5, 2004, except that the~~



1 ~~amendments made by Act 5, Special Session Laws of~~  
2 ~~Hawaii 2009, to section 201B-2, Hawaii Revised~~  
3 ~~Statutes, and subsection (c) of section 201B-11,~~  
4 ~~Hawaii Revised Statutes, shall not be repealed,~~  
5 ~~and~~

6 ~~(B) Sections 40-1, 40-4, 40-6, Hawaii Revised~~  
7 ~~Statutes, shall be reenacted in the form in which~~  
8 ~~they read on June 30, 1986,] and~~

9 ~~[(3)]~~ (2) Section 9 shall take effect on July 1, 2004."

10 SECTION 2. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

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

APPROVED this                      day of                      , 2014

GOVERNOR OF THE STATE OF HAWAII