

JAN 17 2014

A BILL FOR AN ACT

RELATING TO POWERS OF THE LIEUTENANT GOVERNOR.

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

1 SECTION 1. The legislature finds that the temperature of
2 the Earth's surface has increased over the past century and that
3 eleven out of the twelve warmest years on record have occurred
4 after 2001. The legislature further finds that 2012 was the
5 warmest year on record for the forty-nine continental states of
6 the United States and that, in Hawaii, warming has contributed
7 to increased air temperature, decreased rainfall and streamflow,
8 increased rainfall intensity, acidification of the oceans,
9 increased ocean temperature, and a rise in sea level.
10 Scientists predict that, as the climate continues to change,
11 Hawaii will experience more consequences of altered weather
12 patterns and higher sea levels. This will impact Hawaii's land
13 ecosystems, marine ecology, and coastal communities.

14 The legislature also finds that the sea level has risen in
15 Hawaii at a rate of approximately .06 inches per decade over the
16 past century. Worldwide, the rate of sea level rise has doubled
17 since 1990. Long term sea level rise has contributed to, and
18 will continue to contribute to, ongoing coastal erosion, coastal



1 flooding, and drainage problems. Although waves, currents, and
2 human activities are the principal cause of erosion, a rise in
3 sea level accelerates and expands erosion, impacting beaches
4 that were once stable and affecting developed communities that
5 rely on their beaches as a protective buffer from the sea.

6 Research predicts that sea levels may rise one foot above
7 the 2011 level by 2050. As a result, it is critical for the
8 State and counties to recognize this growing threat to the
9 State's communities and to incorporate the predicted increase in
10 sea level into plans for future development. Thirteen states,
11 including California and Washington, have passed legislation to
12 require planners to take a rise in sea level into account when
13 planning for future development. In addition, the Center for
14 Island Climate Adaptation and Policy at the University of Hawaii
15 has strongly recommended that Hawaii benchmark future
16 development requirements to reflect the predicted rise in sea
17 level.

18 The legislature finds that strong leadership from the State
19 is needed to ensure the effective coordination of efforts of
20 state and county agencies, landowners, the University of Hawaii,
21 and environmental groups in incorporating the predicted rise in
22 sea level when planning for future land development.



1 The purpose of this Act is to require the office of the
2 lieutenant governor to coordinate public and private sector
3 resources and develop a strategic plan for directing statewide
4 growth that takes into account a predicted sea level rise in
5 2050 to one foot above the current sea level and any resultant
6 climate change.

7 SECTION 2. Section 26-1, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§26-1 Office of the lieutenant governor.** (a) Except as
10 otherwise provided by law, the lieutenant governor is designated
11 the secretary of state for intergovernmental relations and shall
12 perform the duties and functions heretofore exercised by the
13 secretary of Hawaii. The duties and functions shall include,
14 but not be limited to, recordation of all legislative and
15 gubernatorial acts, certification of state documents, and
16 maintenance of an official file of rules adopted by state
17 departments as provided in chapter 91. The lieutenant governor
18 may employ staff as necessary without regard to chapter 76.

19 (b) The lieutenant governor, with the approval of the
20 governor, may designate some other officer of the government of
21 the State to authenticate documents on behalf of the lieutenant
22 governor during the lieutenant governor's temporary absence



1 outside the State or during the lieutenant governor's illness
2 whenever the documents require the signature of the lieutenant
3 governor. The person shall affix the person's own signature to
4 the document with the words, "for the lieutenant governor"
5 following and the signature shall be deemed to satisfy the
6 requirement of the lieutenant governor's signature on the
7 document. The designation and approval shall be in writing and
8 shall be filed in the office of the governor and a copy thereof,
9 certified by the governor, shall be filed with the public
10 archives. The person so designated shall serve without
11 additional compensation and the lieutenant governor shall be
12 responsible and liable on the lieutenant governor's official
13 bond for all acts done by the person so designated in the
14 performance of the duties on behalf of the lieutenant governor.

15 (c) Nothing in this section shall be construed to
16 authorize the person to exercise and discharge the powers and
17 duties of the office of the governor as provided by the first
18 paragraph of Article V, section 4, of the Constitution of the
19 State. The person shall not be authorized to exercise any
20 powers whenever a successor to the lieutenant governor assumes
21 the duties of the lieutenant governor pursuant to Article V,
22 section 4, of the Constitution.



1 (d) In addition to the functions and duties provided by
2 law, the lieutenant governor shall assume administrative
3 responsibility for the office of information practices.

4 (e) The governor shall identify and direct other duties as
5 necessary to the lieutenant governor.

6 (f) A lieutenant governor whose legal residence is on an
7 island other than Oahu and who is required to remain away from
8 the island of the lieutenant governor's legal residence but
9 within the State overnight or longer while on official business
10 shall receive an allowance to cover personal expenses such as
11 board, lodging, and incidental expenses. The allowance
12 authorized under this subsection shall be set at a daily single
13 rate to be determined by a joint agreement between the senate
14 president and speaker of the house of representatives. This
15 rate shall:

16 (1) Not exceed the greater of the maximum allowance for
17 such expenses payable to any public officer or
18 employee of the State; and

19 (2) Be reasonably calculated to cover the expenses
20 specified in this subsection.

21 (g) The allowance authorized under subsection (f) shall be
22 in addition to and shall not supplant any portion of the salary



1 of the lieutenant governor determined pursuant to section 26-51.
2 The allowance shall be paid out of any available appropriation
3 made by the legislature for expenses, other than the salary, of
4 the lieutenant governor.

5 (h) The lieutenant governor shall coordinate public and
6 private sector resources and develop a strategic plan for
7 directing statewide growth and development that takes into
8 account a predicted sea level rise in 2050 to one foot above the
9 current sea level and any resultant climate change."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: MM M. BR



S.B. NO. 2334

Report Title:

Climate Change; Sea Level Rise

Description:

Requires the lieutenant governor to develop a strategic plan for directing statewide growth and development that takes into account a predicted sea level rise in 2050 to 1 foot above the current sea level and any resultant climate change.

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