



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 9, 2019

**GOV. MSG. NO. 1387**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith SB1459 SD2 HD2 CD1, without my approval and with the statement of objections relating to the measure.

SB1459 SD2 HD2 CD1

RELATING TO THE STATE SURFING  
COMMISSION.

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 9, 2019

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1459

Honorable Members  
Thirtieth Legislature  
State of Hawai'i

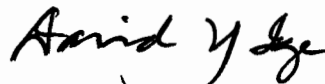
Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 1459 entitled "A Bill for an Act Relating to the State Surfing Commission."

This bill establishes a temporary State Commission on Surfing within the Department of Accounting and General Services (DAGS) to promote surfing internationally and within the State.

This bill is objectionable because, while my administration supports the promotion of surfing, the purpose of the commission is clearly outside of DAGS's mission of delivering quality support services in the areas of physical, financial, and technical infrastructure support for state departments and agencies. Additionally, no funds were appropriated for this bill, making it extremely difficult for the commission to operate. Legislation can be introduced next session to establish the commission in a more appropriate department and provide the necessary funding to successfully operate the commission.

For the foregoing reasons, I am returning Senate Bill No. 1459 without my approval.

Respectfully,



DAVID Y. IGE  
Governor of Hawai'i

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# A BILL FOR AN ACT

RELATING TO THE STATE SURFING COMMISSION.

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

1           SECTION 1. The legislature finds that surfing, as the  
2 state sport of Hawaii, is of significant cultural, social, and  
3 economic value to the people and State of Hawaii, as well as the  
4 many visitors who travel to the State for surfing. An estimated  
5 704,000 people surf in Hawaii each year, the second-most out of  
6 any state in the country. Hawaii's unique weather and  
7 topography make the State especially suited for surfing, yet  
8 many people are unaware of the history and exclusive connection  
9 that Hawaii has with surfing.

10           The legislature also recognizes the increasing recognition  
11 of surfing beyond the State of Hawaii. The 2020 Summer Olympics  
12 in Tokyo will be the first Olympics games to include surfing,  
13 further bolstering global recognition of the sport.

14           The purpose of this Act is to provide for a statewide  
15 program to promote surfing and educate people throughout the  
16 State, as well as a broader international audience, about  
17 surfing's unique connection to Hawaii.



1 SECTION 2. (a) There is established the state commission  
2 on surfing within the department of accounting and general  
3 services for administrative purposes.

4 (b) The commission shall consist of members who shall  
5 reflect the geographic and cultural diversity of the State. The  
6 membership shall include:

7 (1) The comptroller; director of commerce and consumer  
8 affairs; chairperson of the board of land and natural  
9 resources; director of business, economic development,  
10 and tourism; and superintendent of education; or their  
11 designees, as ex officio, voting members;

12 (2) Nine voting members, who shall be appointed by the  
13 governor pursuant to section 26-34, Hawaii Revised  
14 Statutes, except as provided in this section, as  
15 follows:

16 (A) Two members shall be appointed by the governor  
17 from a list of three nominees submitted by the  
18 president of the senate, and two members shall be  
19 appointed by the governor from a list of three  
20 nominees submitted by the speaker of the house of  
21 representatives;



1 (B) Three members shall be appointed by the governor  
2 from the community-at-large; and

3 (C) Two members from the Hawaiian community  
4 demonstrating an understanding of the culture and  
5 history of surfing shall be appointed by the  
6 governor from a list of nominees submitted by the  
7 office of Hawaiian affairs;

8 provided that in appointing members pursuant to this  
9 paragraph, the governor shall ensure gender parity in  
10 the composition of the commission as a whole;

11 (3) One voting member shall be designated by the Hawaii  
12 Lifeguard Association; and

13 (4) One voting member shall be designated by the Hawaii  
14 Surfing Association.

15 (c) Of the appointed members, there shall be at least one  
16 member from each of the counties of Kauai, Maui, and Hawaii.

17 (d) All members shall serve for a term of four years. Any  
18 vacancies occurring in the membership of the commission shall be  
19 filled for the remainder of the unexpired term in the same  
20 manner as the original appointments. No member shall serve on  
21 the commission for more than two terms; provided that if a



1 member fills a vacancy and serves for the remainder of an  
2 unexpired term, that member shall be considered to have served  
3 one term.

4 (e) The chair and vice chair shall be selected annually  
5 from the nongovernmental members of the commission appointed  
6 pursuant to subsection (b) (2). A simple majority shall  
7 constitute a quorum, whose affirmative vote shall be necessary  
8 for all actions.

9 (f) The members shall serve without compensation.

10 (g) Any member of the commission shall be immune from  
11 civil liability as provided in section 26-35.5, Hawaii Revised  
12 Statutes.

13 (h) The commission shall serve in an advisory capacity to  
14 state agencies to promote the surfing industry and educate  
15 people about the cultural and historical significance of  
16 surfing. In addition, the commission may make recommendations  
17 on programs, services, and contracts relating to surfing and  
18 may:

19 (1) Act as a central clearinghouse and coordinating body  
20 for governmental and nongovernmental activities and  
21 information relating to the promotion of surfing;



- 1 (2) Identify promising best practices that support and  
2 engage surfers and the surfing industry;
- 3 (3) Identify obstacles that impede or prevent people from  
4 undertaking surfing in a safe manner;
- 5 (4) Raise public awareness of surfing and its cultural and  
6 historical connection to the State;
- 7 (5) Recommend policies and practices, within and  
8 throughout state government, that encourage the  
9 education and promotion of surfing;
- 10 (6) Promote, foster, encourage, and otherwise support  
11 programs designed to educate and train people in the  
12 sport of surfing;
- 13 (7) Promote, foster, encourage, and otherwise support  
14 programs that promote surfing; and
- 15 (8) Do any and all things necessary to carry out its  
16 duties and the purposes of this Act.
- 17 (i) The meetings of the commission shall be subject to the  
18 requirements of chapter 92, Hawaii Revised Statutes.
- 19 (j) Notwithstanding any law to the contrary, the  
20 commission shall be exempt from section 26-35(a), Hawaii Revised



1 Statutes, with the exception of section 26-35(a) (2), (3), (7),  
2 and (8), Hawaii Revised Statutes.

3 (k) The commission shall administer funds appropriated or  
4 allocated for its work and shall be authorized to accept,  
5 disburse, and allocate funds that may become available from  
6 other governmental and private sources; provided that all funds  
7 shall be disbursed or allocated in compliance with any specific  
8 designation stated by the donor and, in the absence of any  
9 specific designation, the funds shall be disbursed or allocated  
10 on projects related to any of the purposes of this chapter.

11 (l) As used in this section, unless the context requires  
12 otherwise:

13 "Commission" means the state commission on surfing  
14 established pursuant to subsection (a).

15 (m) The commission shall cease to exist on July 1, 2024.

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

APPROVED this                      day of                      , 2019

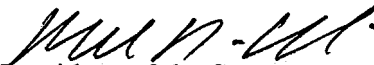
GOVERNOR OF THE STATE OF HAWAII




**THE SENATE OF THE STATE OF HAWAII**

Date: April 30, 2019  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.

  
President of the Senate

  
Clerk of the Senate

SB No. 1459, SD 2, HD 2, CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives