

ACT 4

H.B. NO. 1270

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.

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

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

- (1) Moneys directed, allocated, or disbursed to the statewide geospatial information and data integration program from other government agencies or private sources to help support the acquisition of hardware, software, applications, and databases;
- (2) Moneys directed, allocated, or disbursed to the statewide geospatial technologies program from non-state sources, including but not limited to grants, awards, and donations;
- (3) Moneys collected as fees for statewide planning and geographic information system services rendered; and
- (4) Investment earnings credited to the assets of the fund and all interest on special fund balances.

(b) The statewide geospatial information and data integration special fund shall be used to help defray the cost of, including but not limited to the following:

- (1) Programs and activities to implement this chapter, including the provision of state funds to match federal funds from the United States Geological Survey or other federal departments; and
- (2) Operating costs of the statewide planning and geographic information system, including acquisition and maintenance of hardware or software

necessary to implement this chapter, acquisition and maintenance of geospatial and other data, application development, training, and other products or services of general benefit to the statewide geospatial information and data integration program and its stakeholders.”

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

“(b) The office of planning shall gather, analyze, and provide information to the governor to assist in the overall analysis and formulation of state policies and strategies to provide central direction and cohesion in the allocation of resources and effectuation of state activities and programs and effectively address current or emerging issues and opportunities. More specifically, the office shall engage in the following activities:

- (1) State comprehensive planning and program coordination. Formulating and articulating comprehensive statewide goals, objectives, policies, and priorities, and coordinating their implementation through the statewide planning system established in part II of chapter 226;
- (2) Strategic planning. Identifying and analyzing significant issues, problems, and opportunities confronting the State, and formulating strategies and alternative courses of action in response to identified problems and opportunities by:
 - (A) Providing in-depth policy research, analysis, and recommendations on existing or potential areas of critical state concern;
 - (B) Examining and evaluating the effectiveness of state programs in implementing state policies and priorities;
 - (C) Monitoring through surveys, environmental scanning, and other techniques—current social, 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, analyzing, maintaining, and disseminating various forms of data and information, including geospatial data and information, to further effective state planning, policy analysis and development, and delivery of government services by:
 - (A) [Assembling,] Collecting, assembling, organizing, evaluating, and classifying existing geospatial and non-geospatial data and performing necessary basic research [in order], conversions, and integration to provide a common data base for governmental planning[;] and geospatial analyses by state agencies;

- (B) Planning, [developing, implementing, and] coordinating, and maintaining a comprehensive, shared statewide planning and geographic information system[-] and associated geospatial data-base. The office shall be the lead agency responsible for [planning and] coordinating the [establishment] maintenance of [a] the multi-agency, statewide planning and geographic information system and [the development of planning] coordinating, collecting, integrating, and disseminating geospatial data sets that are used to support a variety of state agency applications[-, includ- ing] and other spatial data analyses to enhance decision making[;]. The office shall promote and encourage free and open data sharing among and between all government agencies. To ensure the maintenance of a comprehensive, accurate, up-to-date geospatial data resource that can be drawn upon for decision-making related to essential public policy issues such as land use planning, resource management, homeland security, and the overall health, safety, and well-being of Hawaii's citizens, and to avoid redundant data development efforts, state agencies shall provide to the shared system either their respective geospatial databases or, at a minimum, especially in cases of secure or confidential data sets that cannot be shared or must be restricted, metadata describing existing geospatial data. In cases where agencies provide restricted data, the office of planning shall ensure the security of that data; and
- (C) Maintaining a centralized depository of state and national planning references;
- (5) Land use planning. Developing and presenting the position of the State in all boundary change petitions and proceedings before the land use commission, assisting state agencies in the development and submittal of petitions for land use district boundary amendments, and conducting periodic reviews of the classification and districting of all lands in the [State,] state, as specified in chapter 205;
- (6) Coastal and ocean policy management. Carrying out the lead agency responsibilities for the Hawaii coastal zone management program, as specified in chapter 205A. Also, developing and maintaining an ocean and coastal resources information, planning, and management system further developing and coordinating implementation of the ocean resources management plan, and formulating ocean policies with respect to the exclusive economic zone, coral reefs, and national marine sanctuaries;
- (7) Regional planning and studies. Conducting plans and studies to determine:
- (A) The capability of various regions within the [State] state to support projected increases in both resident populations and visitors;
- (B) The potential physical, social, economic, and environmental impact on these regions resulting from increases in both resident populations and visitors;
- (C) The maximum annual visitor carrying capacity for the [State] state by region, county, and island; and
- (D) The appropriate guidance and management of selected regions and areas of statewide critical concern.

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

- (8) Regional, national, and international planning. Participating in and ensuring that state plans, policies, and objectives are consistent, to the extent practicable, with regional, national, and international planning efforts.”

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

“**§225M-6 Fees for statewide planning and geographic information system services[.] and products.** The office of planning may charge fees for statewide planning and geographic information system services and products. All fees collected for statewide planning and geographic information system analyses and other related services shall be deposited into the statewide geospatial information and data integration special fund for the sole purpose of supporting the statewide planning and geographic information system. The office shall adopt rules setting fees for statewide planning and geographic information system services and products.”

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

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

PART II

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

The task force continued to hold several meetings throughout the 2006 legislative interim and launched a successful sustainability kick-off event in August 2006, that was attended by several sectors of the community statewide. The Hawaii 2050 sustainability kick-off event launched community engagement and public education activities throughout the state during the fall of 2006.

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

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

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

PART III

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

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

(Vetoed by Governor and veto overridden by Legislature on July 10, 2007.)

Note

1. Edited pursuant to HRS §23G-16.5.