

EXECUTIVE CHAMBERS

HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 38

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning without my approval, Senate Bill No. 38, entitled "A Bill for an Act Relating to the Hawaii Tourism Authority."

The purpose of this bill is to authorize the Hawaii Tourism Authority (HTA) to hire attorneys independent of the Attorney General. At present, the HTA's legal services are provided through the Department of the Attorney General.

This bill is unnecessary because the Attorney General is capable of providing the services needed by the HTA either through regular or special deputy attorneys general. Furthermore, existing statutes provide for the contracting of private attorneys with special expertise when needed for specific projects, and the Attorney General has never denied a request from the HTA for an attorney with special expertise.

If the HTA were authorized to hire or retain attorneys independent of the Attorney General, the advice of private counsel may conflict with the advice given to other state agencies by the Attorney General and result in litigation that could have been avoided if the advice had been coordinated and reviewed by the Attorney General.

For the foregoing reasons, I am returning Senate Bill No. 38 without my approval.

Respectfully,

LINDA LINGLE
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 38, entitled "A Bill for an Act Relating to the Hawaii Tourism Authority," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 38 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 38 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th day
of June, 2003.



LINDA LINGLE
Governor of Hawaii