



GOV. MSG. NO. 1055

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 10, 2007

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fourth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith HB1270 HD2 SD2 CD2, without my approval, and with the statement of objections relating to the measure.

HB1270 HD2 SD2 CD2

A BILL FOR AN ACT RELATING TO STATE  
PLANNING.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

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

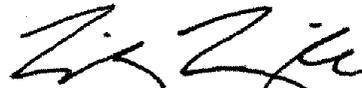
WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented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

WHEREAS, House Bill No. 1270, entitled "A Bill for an Act Relating to State Planning," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1270 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 House Bill No. 1270 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 25th  
day of June, 2007.



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LINDA LINGLE  
Governor of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1270

Honorable Members  
Twenty-Fourth 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, House Bill No. 1270, entitled "A Bill for an Act Relating to State Planning."

The purpose of this bill is to revise the due date of completion of the Hawaii 2050 Sustainability Plan, appropriate an additional \$850,000 to the Office of the Auditor to develop the plan, and set up a special fund for the Office of Planning's geographic information system (GIS).

Although the enhancement of the GIS system is important, this bill is objectionable because it fails to recognize the proper location and logical nexus for development of the Hawaii 2050 Sustainability Plan.

Assigning the Office of the Auditor with the responsibility for developing the Hawaii 2050 Sustainability Plan is not consistent with the Auditor's primary duties and is an inappropriate function of that office. Pursuant to section 23-4, Hawaii Revised Statutes, the Auditor's primary duties are "to conduct post audits of the transactions, accounts, programs, and performance of all departments, offices, and agencies of the State and its political subdivisions" and "examinations to discover evidence of any

STATEMENT OF OBJECTIONS  
HOUSE BILL NO. 1270  
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unauthorized, illegal, irregular, improper, or unsafe handling or expenditure of state funds or improper practice of financial administration." The Office of Planning is responsible for comprehensive, long-range, and strategic planning, pursuant to chapter 225M, Hawaii Revised Statutes, and is the more appropriate agency to develop the Hawaii 2050 Sustainability Plan.

Second, this bill further delays the issuance of the sustainability report. The original report was due prior to the start of the 2006 legislative session. Act 211 of 2006 delayed this deadline to the 2007 legislative session. This bill further postpones the deadline to the start of the 2008 legislative session.

These delays have occurred despite the appropriation of \$850,000 for this project. This measure proposes to appropriate an additional \$850,000 to the Auditor's Office for the Hawaii 2050 Sustainability Plan. If approved, this measure would appropriate a total of \$1,700,000 for this project. It is unclear that the project merits the expenditure of an additional \$850,000 of taxpayer funds.

For the foregoing reasons, I am returning House Bill No. 1270 without my approval.

Respectfully,



LINDA LINGLE  
Governor of Hawaii



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

4 "§225M- Statewide geospatial information and data  
5 integration special fund. (a) There is established in the  
6 state treasury the statewide geospatial information and data  
7 integration special fund, into which shall be deposited:

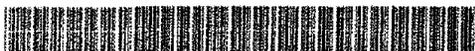
8 (1) Moneys directed, allocated, or disbursed to the  
9 statewide geospatial information and data integration  
10 program from other government agencies or private  
11 sources to help support the acquisition of hardware,  
12 software, applications, and databases;

13 (2) Moneys directed, allocated, or disbursed to the  
14 statewide geospatial technologies program from non-  
15 state sources, including but not limited to grants,  
16 awards, and donations;

17 (3) Moneys collected as fees for statewide planning and  
18 geographic information system services rendered; and

19 (4) Investment earnings credited to the assets of the fund  
20 and all interest on special fund balances.

21 (b) The statewide geospatial information and data  
22 integration special fund shall be used to help defray the cost



1 of, including but not limited to the following:

2 (1) Programs and activities to implement this chapter,  
3 including the provision of state funds to match  
4 federal funds from the United States Geological Survey  
5 or other federal departments; and

6 (2) Operating costs of the statewide planning and  
7 geographic information system, including acquisition  
8 and maintenance of hardware or software necessary to  
9 implement this chapter, acquisition and maintenance of  
10 geospatial and other data, application development,  
11 training, and other products or services of general  
12 benefit to the statewide geospatial information and  
13 data integration program and its stakeholders."

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

16 "(b) The office of planning shall gather, analyze, and  
17 provide information to the governor to assist in the overall  
18 analysis and formulation of state policies and strategies to  
19 provide central direction and cohesion in the allocation of  
20 resources and effectuation of state activities and programs and  
21 effectively address current or emerging issues and



1 opportunities. More specifically, the office shall engage in  
2 the following activities:

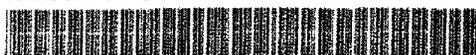
3 (1) State comprehensive planning and program coordination.  
4 Formulating and articulating comprehensive statewide  
5 goals, objectives, policies, and priorities, and  
6 coordinating their implementation through the  
7 statewide planning system established in part II of  
8 chapter 226;

9 (2) Strategic planning. Identifying and analyzing  
10 significant issues, problems, and opportunities  
11 confronting the State, and formulating strategies and  
12 alternative courses of action in response to  
13 identified problems and opportunities by:

14 (A) Providing in-depth policy research, analysis, and  
15 recommendations on existing or potential areas of  
16 critical state concern;

17 (B) Examining and evaluating the effectiveness of  
18 state programs in implementing state policies and  
19 priorities;

20 (C) Monitoring through surveys, environmental  
21 scanning, and other techniques--current social,  
22 economic, and physical conditions and trends; and



- 1 (D) Developing, in collaboration with affected public
- 2 or private agencies and organizations,
- 3 implementation plans and schedules and, where
- 4 appropriate, assisting in the mobilization of
- 5 resources to meet identified needs;
- 6 (3) Planning coordination and cooperation. Facilitating
- 7 coordinated and cooperative planning and policy
- 8 development and implementation activities among state
- 9 agencies and between the state, county, and federal
- 10 governments, by:
  - 11 (A) Reviewing, assessing, and coordinating, as
  - 12 necessary, major plans, programs, projects, and
  - 13 regulatory activities existing or proposed by
  - 14 state and county agencies;
  - 15 (B) Formulating mechanisms to simplify, streamline,
  - 16 or coordinate interagency development and
  - 17 regulatory processes; and
  - 18 (C) Recognizing the presence of federal defense and
  - 19 security forces and agencies in the State as
  - 20 important state concerns;
- 21 (4) [~~Planning~~] Statewide planning and geographic
- 22 information system. Collecting, integrating,



1 analyzing, maintaining, and disseminating various  
2 forms of data and information, including geospatial  
3 data and information, to further effective state  
4 planning, policy analysis and development, and  
5 delivery of government services by:

6 (A) [~~Assembling,~~] Collecting, assembling, organizing,  
7 evaluating, and classifying existing geospatial  
8 and non-geospatial data and performing necessary  
9 basic research [~~in order~~], conversions, and  
10 integration to provide a common data base for  
11 governmental planning[+] and geospatial analyses  
12 by state agencies;

13 (B) Planning, [~~developing, implementing, and~~]  
14 coordinating, and maintaining a comprehensive,  
15 shared statewide planning and geographic  
16 information system[-] and associated geospatial  
17 database. The office shall be the lead agency  
18 responsible for [~~planning and~~] coordinating the  
19 [~~establishment~~] maintenance of [a] the multi-  
20 agency, statewide planning and geographic  
21 information system and [~~the development of~~  
22 planning] coordinating, collecting, integrating,



1           and disseminating geospatial data sets that are  
2           used to support a variety of state agency  
3           applications[~~, including~~] and other spatial data  
4           analyses to enhance decision making[+]. The  
5           office shall promote and encourage free and open  
6           data sharing among and between all government  
7           agencies. To ensure the maintenance of a  
8           comprehensive, accurate, up-to-date geospatial  
9           data resource that can be drawn upon for  
10           decision-making related to essential public  
11           policy issues such as land use planning, resource  
12           management, homeland security, and the overall  
13           health, safety, and well-being of Hawaii's  
14           citizens, and to avoid redundant data development  
15           efforts, state agencies shall provide to the  
16           shared system either their respective geospatial  
17           databases or, at a minimum, especially in cases  
18           of secure or confidential data sets that cannot  
19           be shared or must be restricted, metadata  
20           describing existing geospatial data. In cases  
21           where agencies provide restricted data, the



1           office of planning shall ensure the security of  
2           that data; and

3           (C) Maintaining a centralized depository of state and  
4           national planning references;

5           (5) Land use planning. Developing and presenting the  
6           position of the State in all boundary change petitions  
7           and proceedings before the land use commission,  
8           assisting state agencies in the development and  
9           submittal of petitions for land use district boundary  
10          amendments, and conducting periodic reviews of the  
11          classification and districting of all lands in the  
12          [State,] state, as specified in chapter 205;

13          (6) Coastal and ocean policy management. Carrying out the  
14          lead agency responsibilities for the Hawaii coastal  
15          zone management program, as specified in chapter 205A.  
16          Also, developing and maintaining an ocean and coastal  
17          resources information, planning, and management system  
18          further developing and coordinating implementation of  
19          the ocean resources management plan, and formulating  
20          ocean policies with respect to the exclusive economic  
21          zone, coral reefs, and national marine sanctuaries;



- 1           (7) Regional planning and studies. Conducting plans and  
2           studies to determine:
- 3           (A) The capability of various regions within the  
4           [State] state to support projected increases in  
5           both resident populations and visitors;
- 6           (B) The potential physical, social, economic, and  
7           environmental impact on these regions resulting  
8           from increases in both resident populations and  
9           visitors;
- 10          (C) The maximum annual visitor carrying capacity for  
11          the [State] state by region, county, and island;  
12          and
- 13          (D) The appropriate guidance and management of  
14          selected regions and areas of statewide critical  
15          concern.
- 16          The studies in subparagraphs (A) to (C) shall be  
17          conducted at appropriate intervals, but not less than  
18          once every five years; and
- 19          (8) Regional, national, and international planning.  
20          Participating in and ensuring that state plans,  
21          policies, and objectives are consistent, to the extent

1           practicable, with regional, national, and  
2           international planning efforts."

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

5           "§225M-6 Fees for statewide planning and geographic  
6 information system services[-] and products. The office of  
7 planning may charge fees for statewide planning and geographic  
8 information system services and products. All fees collected  
9 for statewide planning and geographic information system  
10 analyses and other related services shall be deposited into the  
11 statewide geospatial information and data integration special  
12 fund for the sole purpose of supporting the statewide planning  
13 and geographic information system. The office shall adopt rules  
14 setting fees for statewide planning and geographic information  
15 system services and products."

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





1 engagement and public education activities throughout the state  
2 during the fall of 2006.

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

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

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

14 PART III

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

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

