



GOV. MSG. NO. 858

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 3, 2008

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:

Pursuant to Section 16 of Article III of the State Constitution, I am transmitting herewith the following bill with a specific appropriation item stricken or reduced and my official statement of objections to that specific appropriation item contained in the bill.

HB2531 HD1 SD2 CD1

A BILL FOR AN ACT RELATING TO THE WEST
MAUI TRANSPORTATION ACCESS PLAN.

Sincerely,

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

LINDA LINGLE

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EXECUTIVE CHAMBERS

HONOLULU

July 3, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2531

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. 2531, entitled "A Bill for an Act Relating to the West Maui Transportation Access Plan."

The purpose of this bill is to set up a working group to develop a transportation access plan for West Maui, to be used as a model for developing access plans for other areas in the State. I support the intent of this bill to facilitate an open dialogue among stakeholders to discuss and develop a West Maui Transportation Access Plan to address road closures on this part of the island.

This bill appropriates \$50,000 of general fund monies for fiscal year 2008-2009 to hire a consultant without regard to the procurement process. As this appropriation was not included in the State's financial plan and because these funds would be used in a manner that circumvents the procurement process, I am issuing a line item veto.

Section 16 of Article III of the State Constitution provides that, "[e]xcept for items appropriated to be expended by the judicial and legislative branches, the governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same."

Therefore, pursuant to my line item veto authority, I have stricken out the \$50,000 appropriation from section 3 at line 22 on page 4 of the bill by drawing a line through the

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 2531
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\$50,000 appropriation out of the general fund for fiscal year 2008-2009 for the West Maui Transportation Access Plan Working Group and changing the amount to \$0.

For the foregoing reasons, I am returning House Bill No. 2531 with the appropriation in section 3 totaling \$50,000 in general fund appropriations for fiscal year 2008-2009 stricken out and reduced to \$0.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii

A BILL FOR AN ACT

RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN.

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

1 SECTION 1. The legislature finds that West Maui is one of
2 the largest generators of state and county revenues and is one
3 of the largest visitor destinations outside of Waikiki. Yet
4 access in and out of the region is served by only one major
5 highway that may be closed for days at a moment's notice, which
6 occurred in the past two years due to wildfires. In West Maui,
7 unlike in other areas where a full-blown natural disaster is the
8 cause for a total shutdown of transportation access, events and
9 accidents that do not rise to the level of an emergency have
10 closed the highway for days. Because of the non-emergency
11 status of these incidents, the State has no coordinated plan to
12 transport people into and out of West Maui during road closures.
13 Because there is no hospital in West Maui, such road closures
14 put people's lives at risk. They also divide families, as many
15 Maui residents work in West Maui but reside in other parts of
16 Maui county. The booming visitor industry in West Maui is also
17 jeopardized.



1 During July of 2007 when a fire closed the highway for
2 several days, a task force was created by the department of land
3 and natural resources to address transportation access to West
4 Maui. However, because no official support was mandated for
5 this group's work, the task force has dispersed. The
6 legislature finds that a West Maui transportation access plan is
7 critical.

8 The purpose of this Act is to require the department of
9 transportation to develop a West Maui transportation access
10 plan, which can serve as a model for developing plans in other
11 areas having similar problems, such as West Kauai, Wainee, and
12 the Kealahou area.

13 SECTION 2. (a) There is created the informal, temporary
14 West Maui transportation access plan working group within the
15 department of transportation to develop a West Maui
16 transportation access plan to address road closures in West
17 Maui. The working group may elect from among its members a
18 chairperson. The working group shall consist of the following
19 members:

- 20 (1) The director of transportation;
- 21 (2) The state senator representing district 5 in West
22 Maui;



- 1 (3) The state representative representing district 10 in
- 2 West Maui;
- 3 (4) The member of the Maui county council representing
- 4 West Maui;
- 5 (5) The chief of the highway division of the department of
- 6 transportation;
- 7 (6) A staff member of the department of land and natural
- 8 resources representing the Lahaina small boat harbor;
- 9 (7) The mayor of Maui county;
- 10 (8) The director of the department of transportation of
- 11 Maui county;
- 12 (9) The police chief of Maui county;
- 13 (10) The fire chief of Maui county;
- 14 (11) The administrator of the civil defense agency of Maui
- 15 county;
- 16 (12) A representative of Lahaina Bypass Now;
- 17 (13) A representative of the Kaanapali Beach Resort
- 18 Association;
- 19 (14) A representative of the Maui Visitors Bureau;
- 20 (15) A Maui-based representative of Island Air;
- 21 (16) A Maui-based representative of the Car and Truck
- 22 Renting and Leasing Association;



1 (17) A representative of the Maui Hotel and Lodging
2 Association;

3 (18) A Maui-based representative of the Hawaii
4 Transportation Association;

5 (19) A representative of the Pacific Radio Group;

6 (20) A representative of Expeditions Lanai Ferry;

7 (21) A representative of Molokai Princess Ferry; and

8 (22) A Maui-based representative of Cruise Lines
9 International Association.

10 (b) The temporary working group shall develop a West Maui
11 transportation access plan to address road closures in West Maui
12 and may contract with a consultant to develop the plan without
13 regard to chapter 103D, Hawaii Revised Statutes.

14 (c) The temporary working group shall submit a written
15 report including findings, recommendations, the finalized West
16 Maui transportation access plan, and any necessary proposed
17 legislation to the legislature no later than twenty days prior
18 to the convening of the regular session of 2009.

19 (d) The temporary working group shall terminate on
20 June 30, 2009.

21 SECTION 3. There is appropriated out of the general
22 revenues of the State of Hawaii the sum of ~~\$50,000~~ or so much



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