

1 information system and to charge fees for spatial
2 analysis services.

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

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

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

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

19 (3) Moneys collected as fees for geographic information
20 system services rendered; and

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



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

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

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

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

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



1 effectively address current or emerging issues and
2 opportunities. More specifically, the office shall engage in
3 the following activities:

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

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

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

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



- 1 (C) Monitoring through surveys, environmental
2 scanning, and other techniques--current social,
3 economic, and physical conditions and trends; and
- 4 (D) Developing, in collaboration with affected public
5 or private agencies and organizations,
6 implementation plans and schedules and, where
7 appropriate, assisting in the mobilization of
8 resources to meet identified needs;
- 9 (3) Planning coordination and cooperation. Facilitating
10 coordinated and cooperative planning and policy
11 development and implementation activities among state
12 agencies and between the state, county, and federal
13 governments, by:
- 14 (A) Reviewing, assessing, and coordinating, as
15 necessary, major plans, programs, projects, and
16 regulatory activities existing or proposed by
17 state and county agencies;
- 18 (B) Formulating mechanisms to simplify, streamline,
19 or coordinate interagency development and
20 regulatory processes; and



- 1 (C) Recognizing the presence of federal defense and
2 security forces and agencies in the State as
3 important state concerns;
- 4 (4) Planning and geographic information system.
5 Collecting, integrating, analyzing, maintaining, and
6 disseminating various forms of data and information,
7 including geospatial data and information, to further
8 effective state planning, policy analysis and
9 development, and delivery of government services by:
- 10 (A) [~~Assembling,~~] Collecting, assembling, organizing,
11 evaluating, and classifying existing geospatial
12 and non-geospatial data and performing necessary
13 basic research [~~in order~~], conversions, and
14 integration to provide a common data base for
15 governmental planning[+] and geospatial analyses
16 by state agencies;
- 17 (B) Planning, [~~developing, implementing, and~~]
18 coordinating, and maintaining a comprehensive,
19 shared statewide planning and geographic
20 information system[+] and associated geospatial
21 database. The office shall be the lead agency
22 responsible for [~~planning and~~] coordinating the



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



1 describing existing geospatial data. In cases
2 where agencies provide restricted data, the
3 office of planning shall ensure the security of
4 that data; and

5 (C) Maintaining a centralized depository of state and
6 national planning references;

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

15 (6) Coastal and ocean policy management. Carrying out the
16 lead agency responsibilities for the Hawaii coastal
17 zone management program, as specified in chapter 205A.
18 Also, developing and maintaining an ocean and coastal
19 resources information, planning, and management system
20 further developing and coordinating implementation of
21 the ocean resources management plan, and formulating



1 ocean policies with respect to the exclusive economic
2 zone, coral reefs, and national marine sanctuaries;

3 (7) Regional planning and studies. Conducting plans and
4 studies to determine:

5 (A) The capability of various regions within the
6 State to support projected increases in both
7 resident populations and visitors;

8 (B) The potential physical, social, economic, and
9 environmental impact on these regions resulting
10 from increases in both resident populations and
11 visitors;

12 (C) The maximum annual visitor carrying capacity for
13 the State by region, county, and island; and

14 (D) The appropriate guidance and management of
15 selected regions and areas of statewide critical
16 concern.

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

20 (8) Regional, national, and international planning.

21 Participating in and ensuring that state plans,
22 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 geographic information system**
6 **services[-] and products.** The office of planning may charge
7 fees for statewide geographic information system services and
8 products. All fees collected for geographic information system
9 analyses and other related services shall be deposited into the
10 statewide geospatial information and data integration special
11 fund for the sole purpose of supporting the statewide planning
12 and geographic information system. The office shall adopt rules
13 setting fees for geographic information system services and
14 products."

15 SECTION 5. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2007-2008 to
18 carry out the purposes of this part, including the execution of
19 a state geographic information system software enterprise
20 license agreement.



1 The sum appropriated shall be expended by the office of
2 planning of the department of business, economic development,
3 and tourism for the purposes of this part.

4 SECTION 6. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ for
6 fiscal year 2007-2008 to be deposited into the statewide
7 geospatial information and data integration special fund.

8 SECTION 7. There is appropriated out of the statewide
9 geospatial information and data integration special fund the sum
10 of \$ or so much thereof as may be necessary for fiscal
11 year 2007-2008 to support state planning programs and activities
12 and the operations of the statewide planning and geographic
13 information system.

14 The sum appropriated shall be expended by the office of
15 planning of the department of business, economic development,
16 and tourism for the purposes of this part.

17 **PART II**

18 SECTION 8. During the 2005 special session, the
19 legislature adopted Act 8, Special Session Laws of Hawaii 2005,
20 which created the Hawaii 2050 sustainability task force to
21 review the Hawaii state plan and the State's planning process,
22 and required the office of the auditor to prepare and submit to



1 the legislature the Hawaii 2050 sustainability plan. In 2006,
 2 the legislature adopted Act 210, Session Laws of Hawaii 2006,
 3 which extended the life of the task force after the members
 4 recommended in their report before the 2006 regular session that
 5 more time was required to perform necessary research and
 6 community outreach to create the Hawaii 2050 sustainability
 7 plan.

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

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

18 SECTION 9. There is appropriated out of the general
 19 revenues of the State of Hawaii the sum of \$ or so
 20 much thereof as may be necessary for fiscal year 2007-2008 and
 21 the same sum or so much thereof as may be necessary for fiscal
 22 year 2008-2009 to provide additional funding for the Hawaii 2050



1 sustainability task force to develop a Hawaii 2050
2 sustainability plan to be submitted to the legislature before
3 the convening of the 2008 regular session.

4 The sums appropriated shall be expended by the office of
5 the auditor for the purposes of this part.

6 **PART III**

7 SECTION 10. During the 2005 special session of the
8 legislature, the legislature passed Act 12, Special Session Laws
9 of Hawaii 2005, which clarified that the department of business,
10 economic development, and tourism has sole jurisdiction over
11 land and state planning functions, and directed the office of
12 planning to report only to the department of business, economic
13 development, and tourism. Section 225M-2(a), Hawaii Revised
14 Statutes, was amended to emphasize the importance of the office
15 of planning and accordingly required that its director be
16 nominated by the governor, by and with the advice and consent of
17 the senate, and appointed by the governor without regard to
18 chapter 76, Hawaii Revised Statutes. It was the intent of the
19 legislature when enacting Act 12 that the position of director
20 of the office of planning be given a high level status within
21 the executive branch and that its term of office coincide with
22 the governor's term of office, in a similar manner as the single



1 executive of a principal department of the State, beginning
2 after the general election of 2006.

3 The purpose of this part is to clarify the legislative
4 intent and application of Act 12, Special Session Laws of Hawaii
5 2005, so that the director of the office of planning, on the day
6 after the 2006 general election, and any director thereafter to
7 serve in that capacity, submit to the advice and consent of the
8 senate.

9 SECTION 11. Section 225M-2, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) There is established within the department of
12 business, economic development, and tourism an office of
13 planning. The head of the office shall be known as the director
14 of the office of planning, referred to in this chapter as
15 director. The director shall have: training in the field of
16 urban or regional planning, public administration, or other
17 related fields; experience in programs or services related to
18 governmental planning; and experience in a supervisory,
19 consultative, or administrative capacity. The director shall be
20 nominated by the governor and, by and with the advice and
21 consent of the senate, appointed by the governor without regard
22 to chapter 76, and shall be compensated at a salary level set by



1 the governor. The director shall hold office for a term to
2 expire at the end of the term for which the governor was
3 elected, unless removed sooner by the governor. The director
4 shall be included in any benefit program generally applicable to
5 the officers and employees of the State. The director shall
6 retain such staff as may be necessary for the purposes of this
7 chapter, in conformity with chapter 76. The director shall
8 report to the director of business, economic development, and
9 tourism and shall not be required to report directly to any
10 other principal executive department."

11 SECTION 12. Act 12, Special Session Laws of Hawaii 2005,
12 is amended by amending section 5 to read as follows:

13 "SECTION 5. This Act shall take effect upon its
14 approval[~~-~~]; provided that any person serving as the director of
15 the office of planning on the day after the 2006 general
16 election and any director thereafter shall be subject to advice
17 and consent by the senate."

18 **PART IV**

19 SECTION 13. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 14. This Act shall take effect on July 1, 2050.



Report Title:

Geographic Information System; Hawaii 2050 Sustainability Task Force; Appropriation; Office of Planning; Director; Advice and Consent

Description:

Clarifies the office of planning's role in maintaining and coordinating a statewide enterprise geographic information system (GIS). Appropriates funds to support the implementation of a GIS software enterprise license agreement. Establishes a special fund to help support the operation and maintenance of the statewide planning and geographic information system. Appropriates funds for the development of the Hawaii 2050 sustainability plan. Clarifies the advice and consent process for the director of office of planning to submit to the advice and consent of the senate. (SD2)

