



GOV. MSG. NO. 1295

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,
President and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith SB263 SD2 HD2 CD1, without my approval and with the statement of objections relating to the measure.

SB263 SD2 HD2 CD1

RELATING TO ECONOMIC DEVELOPMENT.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 263

Honorable Members
Thirty-First Legislature
State of Hawai'i

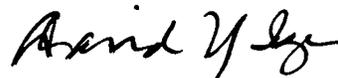
Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 263, entitled "A Bill for an Act Relating to Economic Development."

The purposes of this bill are to establish a "Hawaii Made" program in the Department of Business, Economic Development, and Tourism (DBEDT) and to appropriate \$150,000 for the "Hawaii Made" program out of the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2, § 9901, 135 Stat. 4, 223 (2021). This bill further adds Hawaii-made product labeling requirements under the jurisdiction of DBEDT that are almost identical to Hawaii-made product labeling requirements under the jurisdiction of the Department of Agriculture (DOA).

This bill is objectionable because the labeling requirements would result in duplicative jurisdiction over the same labeling regulation between DBEDT and DOA. Moreover, while DOA has statutory means of enforcement, DBEDT has none and would have no means to enforce these labeling requirements.

For the foregoing reasons, I am returning Senate Bill No. 263 without my approval.

Respectfully,



DAVID IGE
Governor of Hawai'i

A BILL FOR AN ACT

RELATING TO ECONOMIC DEVELOPMENT.

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

1 SECTION 1. Chapter 201, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§201- "Hawaii Made" program for manufactured products
5 oversight; "Hawaii Made" trademark. (a) The department of
6 business, economic development, and tourism shall administer and
7 oversee a "Hawaii Made" program for manufactured products and
8 shall hold ownership of the "Hawaii Made" trademark.

9 (b) For purposes of this section, the department of
10 business, economic development, and tourism shall:

11 (1) Promote consumer demand for "Hawaii Made" products;

12 (2) Coordinate manufacturing of "Hawaii Made" products;

13 (3) Coordinate and promote distribution channels for
14 "Hawaii Made" products;

15 (4) Ensure that appropriate patents and copyrights are
16 acquired for "Hawaii Made" products; and

17 (5) Identify new funding opportunities to promote the
18 expansion of "Hawaii Made" products.



1 (c) No person shall:

2 (1) Keep, offer, display or expose for sale, or solicit
3 for the sale of any item, product, souvenir, or other
4 merchandise that:

5 (A) Is labeled "Hawaii Made"; or

6 (B) By any other means, represents the origin of the
7 item as being from any place within the State; or

8 (2) Use the phrase "Hawaii Made" as an advertising or
9 media tool,

10 for any item that has not been manufactured, assembled,
11 fabricated, or produced within the State and that has not had at
12 least fifty-one per cent of its wholesale value added by
13 manufacture, assembly, fabrication, or production within the
14 State, including Hawaii-sourced goods, services, and
15 intellectual property."

16 SECTION 2. There is appropriated out of the funds received
17 by the State of Hawaii from the American Rescue Plan Act of
18 2021, Public Law 117-2 (Section 9901), the sum of \$150,000 or so
19 much thereof as may be necessary for fiscal year 2021-2022 to be
20 used for the oversight and administration of the "Hawaii Made"
21 program for manufactured products and for the department of



1 business, economic development, and tourism to promote the
2 "Hawaii Made" brand.

3 The sum appropriated shall be expended by the department of
4 business, economic development, and tourism for the purposes of
5 section 1 of this Act.

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

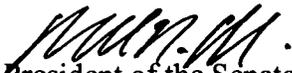
APPROVED this day of , 2021

GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate

SB No. 263, SD 2, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives