



GOV. MSG. NO. 1091

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 11, 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:

Re: Senate Bill No. 810 SD2 HD1 CD1

On July 10, 2007, Senate Bill No. 810, entitled "A Bill for an Act Relating to Waimano Ridge" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill appropriates \$150,000 in fiscal year 2007-2008 and \$150,000 in fiscal year 2008-2009 to the Department of Health for operating expenses of the Waimano Ridge task force. My administration supports the work of this task force, established to give members of the community surrounding the former location of the Waimano Hospital and Training School (Waimano Ridge) an opportunity to provide input into the development of Waimano Ridge.

Because the Department of Health has existing funds within the Executive Biennium Budget to accomplish the goals of the Waimano Ridge task force, this bill is unnecessary.

The Executive Biennium Budget in Act 213 (House Bill No. 500) contains substantial appropriations for improvements to Waimano Ridge and the development of a master plan for Waimano Ridge. For fiscal year 2007-2008, a total of \$9,700,000 is appropriated in capital improvement and operating funds specifically for Waimano Ridge, including \$700,000 for the development of a master plan for the area. For fiscal 2008-2009, \$1,800,000 is specifically appropriated for Waimano Ridge building and water system improvements.

Additionally, this bill is technically flawed because it does not contain standard language that provides that "members shall not receive compensation but shall be reimbursed for necessary expenses incurred in carrying out their duties." As a result, this bill lacks the standard prohibitions that make it clear that public funds cannot be used to provide salaries or hourly compensation for task force members.

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The Department of Health will continue to assist the task force in carrying out its duties as the planning and improvements work at Waimano Ridge proceeds, using resources already within its budget.

For the foregoing reasons, I allowed Senate Bill No. 810 to become law as Act 293, effective July 10, 2007, without my signature.

Sincerely,

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

LINDA LINGLE

A BILL FOR AN ACT

RELATING TO WAIMANO RIDGE.

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

1 SECTION 1. The legislature finds that good communication
2 and relations between the state administration and the residents
3 of the Waimano ridge community are imperative in planning the
4 use of the state-owned lands in the Waimano ridge area.
5 The legislature further finds that a new or updated
6 master plan for the state-owned Waimano ridge lands is
7 necessary. In the early 1990s, there was a collaborative
8 government and community effort to establish a master plan for
9 the Waimano ridge area. This master plan was formulated by the
10 department of health with community input and was designed to
11 create a "totally integrated community" where activities on the
12 state-owned Waimano ridge lands would be community-friendly.
13 However, after the plan was developed, the State's economy took
14 a downturn and the in-patient care facility on the Waimano ridge
15 closed, which significantly affected the implementation of the
16 master plan.



1 In 2005, the legislature enacted Act 7, Special Session
2 Laws of Hawaii 2005, which required the department of health to
3 give prior notice to the Waimano neighborhood board and the
4 members of the legislature from that district and to obtain the
5 approval of the governor for any use of state-owned land under
6 the department's jurisdiction in the Waimano ridge area prior to
7 use of the land. Additionally, Act 7 required the department to
8 prepare an updated master plan for the Waimano ridge lands.

9 In 2006, the legislature and the department of health
10 convened the Waimano ridge task force to improve communications
11 and relations between the community and the State and to lay the
12 groundwork for a new master plan.

13 The purpose of this Act is to appropriate funds to
14 facilitate the establishment of a "totally integrated community"
15 where activities on the state-owned Waimano ridge lands will be
16 community-friendly by funding the activities of the Waimano
17 ridge task force and establishing a comprehensive Waimano ridge
18 master plan.

19 SECTION 2. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$150,000 or so much
21 thereof as may be necessary for fiscal year 2007-2008 and the



1 same sum or so much thereof as may be necessary for fiscal year
2 2008-2009 for the Waimano ridge task force operating expenses.

3 The sums appropriated shall be expended by the department
4 of health for the purposes of this section.

5 SECTION 3. This Act shall take effect on July 1, 2007.

