



GOV. MSG. NO. 1342

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 11, 2016

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

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

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

Re: SB2542 SD2 HD1 CD1

SB2542 SD2 HD1 CD1, entitled "A BILL FOR AN ACT RELATING TO REPAIR AND MAINTENANCE" will become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require the Judiciary and all state executive agencies that manage a state-owned building, facility, or other improvement to submit to the legislature an annual report on the funds and positions deemed necessary by the agency to perform routine repair and maintenance.

The Department of Education (DOE) maintains 256 schools with multiple buildings at each school. The University of Hawai'i System (UOH) manages multiple buildings on ten campuses throughout the State including Mānoa, Hilo, West O'ahu, John A. Burns School of Medicine, and community colleges. The Department of Accounting and General Services manages 152 buildings statewide and located on each island. Although I agree that this bill is intended to support all branches of government in documenting the financial resources needed to maintain state facilities, there was no appropriation provided to begin to capture and maintain this data. Thus, the executive and judicial branches, along with DOE and UOH will need to re-allocate funds from existing programs

SB2542 SD2 HD1 CD1

July 11, 2016

Page Two

in order to fund the creation of the data collection system and maintain it on an annual basis.

For the foregoing reasons, SB2542 SD2 HD1 CD1 will become law as ACT 233 (16), Session Laws of Hawaii 2016, effective July 11, 2016, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is written in a cursive, flowing style.

DAVID Y. IGE

Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO REPAIR AND MAINTENANCE.

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

1 SECTION 1. The purpose of this Act is to address the
2 routine repair and maintenance of state-owned buildings,
3 facilities, and other improvements.

4 More specifically, this Act establishes a policy regarding
5 full funding for routine repair and maintenance of state-owned
6 buildings, facilities, and other improvements. The legislature
7 finds that this Act is necessary to:

8 (1) Preserve the condition of state-owned buildings,
9 facilities, and other improvements for public use or
10 benefit, for the present and the future;

11 (2) Prevent further additions to the State's deferred
12 maintenance backlog;

13 (3) Preserve public moneys by making near-term investments
14 for routine repair and maintenance instead of
15 incurring more expensive capital replacement or
16 renewal costs in the future; and

17 (4) Promote transparency by making information about the
18 State's liabilities available to the public.



1 The legislature intends that this Act shall apply to the
2 judiciary by operation of section 601-2, Hawaii Revised
3 Statutes.

4 SECTION 2. Chapter 37, Hawaii Revised Statutes, is amended
5 by adding a new part to be appropriately designated and to read
6 as follows:

7 "PART . ROUTINE REPAIR AND MAINTENANCE

8 §37- Routine repair and maintenance; definitions. As
9 used in this part:

10 "Routine repair and maintenance" means repair and
11 maintenance performed on a scheduled repair and maintenance
12 cycle.

13 "State-owned building, facility, or other improvement"
14 means a building, facility, or other improvement owned and
15 managed by a state executive agency. The term shall not include
16 a state-owned building, facility, or other improvement that is
17 leased by a state executive agency to a person.

18 §37- Routine repair and maintenance funding needs;
19 report to legislature. (a) Each state executive agency that
20 manages a state-owned building, facility, or other improvement
21 shall submit to the legislature an annual report on the funds



1 and positions deemed necessary by the agency to perform routine
2 repair and maintenance on the state-owned building, facility, or
3 other improvement during the fiscal year covered by the report.
4 The annual report shall cover the fiscal year that commences
5 following the submittal of the report and break down the funds
6 and positions deemed necessary for routine repair and
7 maintenance by means of financing and cost element.

8 (b) The annual report shall also include a comparison, for
9 each of the prior two fiscal years, of the:

- 10 (1) Routine repair and maintenance funds and positions
11 deemed necessary by the state executive agency, as
12 identified in the relevant prior reports;
- 13 (2) Actual appropriations and positions authorized for
14 routine repair and maintenance; and
- 15 (3) Actual expenditures and positions filled for the
16 routine repair and maintenance.

17 (c) The annual reports shall be submitted to the
18 legislature through the department of budget and finance with
19 each executive budget or supplemental budget, as applicable.

20 (d) The governor shall identify the state executive
21 agencies that are responsible for managing a state-owned



1 building, facility, or other improvement and, consequently,
2 required to submit the annual report to the legislature. The
3 governor shall require the identified state agencies to submit
4 the reports to the department of budget and finance:

- 5 (1) In a uniform format; and
6 (2) By a deadline intended to give the department of
7 budget and finance sufficient time to compile the
8 reports to the legislature pursuant to subsection (c).

9 The department of budget and finance shall not be required
10 to ensure the accuracy of the information in the reports."

11 SECTION 3. Section 601-2, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) The chief justice shall be the administrative head of
14 the judiciary. The chief justice shall make a report to the
15 legislature, at each regular session thereof, of the business of
16 the judiciary and of the administration of justice throughout
17 the State. The chief justice shall present to the legislature a
18 unified budget, six-year program and financial plan, and
19 variance report for all of the programs of the judiciary. The
20 chief justice shall also submit to the legislature annual
21 routine repair and maintenance reports for judiciary-owned



1 buildings, facilities, and other improvements that substantially
2 comply with chapter 37, part . The chief justice shall
3 direct the administration of the judiciary, with responsibility
4 for the efficient operation of all of the courts and for the
5 expeditious dispatch of all judicial business."

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval.

APPROVED this day of , 2016

GOVERNOR OF THE STATE OF HAWAII