

S.B. NO. 1315

JAN 22 2007

A BILL FOR AN ACT

RELATING TO THE ACCESS HAWAII COMMITTEE.

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

1 SECTION 1. The purpose of this Act is to codify
2 substantive sections of Act 292 Session Laws of Hawaii 2000 and
3 to reestablish the Access Hawaii Committee.

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

7 **"CHAPTER**

8 **ACCESS HAWAII COMMITTEE**

9 **§ -1 Definitions.** As used in this Act, unless the
10 context otherwise requires:

11 "Committee" means the Access Hawaii Committee.

12 "Government agency" means any government agency that
13 stores, gathers, or generates public information, including all
14 branches of government, all executive departments, boards, and
15 commissions of the State or counties, and all public
16 corporations created by the legislature.

17 "Internet" means the global information system that is
18 logically linked together by a globally unique address space
19 based on the Internet Protocol (IP), or its subsequent

1 extension; and that is able to support communications using the
2 Transmission Control Protocol/Internet Protocol (TCP/IP) suite,
3 or its subsequent extension, or other IP-compatible protocols;
4 and that provides, uses, or makes accessible, either publicly or
5 privately, information to users.

6 "Internet portal" means the centralized electronic
7 information system by which public information is provided via
8 dial-in modem or continuous link to the public through
9 subscriptions.

10 "Portal manager" means the entity or person engaged to
11 manage and operate the Internet portal on behalf of the State of
12 Hawaii.

13 "Value added electronic services" means services including,
14 but not limited to:

15 (1) Providing periodic, continual, and ongoing access to
16 information maintained by a government agency without
17 requiring separate requests for information as it is
18 created;

19 (2) Compiling data or performing other research services;

20 (3) Permitting the electronic filing of reports, renewals,
21 or application; or

22 (4) The ability to transact business over the Internet
23 portal.

24 § -3. Any statute to the contrary notwithstanding,

1 government agencies may charge for value added electronic
2 services provided through the portal manager.

3 **§ -3. Access Hawaii committee; establishment;**
4 **membership; chairperson.** (a) There is established within the
5 department of accounting and general services, the Access Hawaii
6 Committee.

7 (b) The committee shall consist of not more than eleven
8 voting ex officio members, or their designated representatives,
9 as follows:

10 (1) The comptroller of the department of accounting and
11 general services;

12 (2) The administrator of the information and communication
13 services division in the department of accounting and
14 general services;

15 (3) The administrator of the state procurement office;

16 (4) The director of the office of information practices;

17 (5) The directors of not more than three government
18 agencies using or planning to use the services of the
19 portal manager; and

20 (6) The chief information officers of the four counties.

21 (c) The comptroller of the department of accounting and
22 general services shall serve as the chairperson of the
23 committee.

24 **§ -4. Duties of the committee.** (a) The committee

1 shall provide oversight of the portal manager including:

- 2 (1) Review of the annual strategic plan and periodic
- 3 reports on potential new applications and services
- 4 submitted by the portal manger;
- 5 (2) Review and approval of all charges to portal users;
- 6 (3) Review and approval of service level agreements
- 7 negotiated by government agencies with the portal
- 8 manager;
- 9 (4) Review of the annual financial reports and audit of
- 10 the portal manager.
- 11 (5) Review of annual customer satisfaction surveys
- 12 conducted by the portal manger; and
- 13 (6) Review of performance measures of the portal submitted
- 14 as part of the service management plan for portal-wide
- 15 indicators and application specific indicators.

16 **§ -5. Annual Report.** The committee will submit an
17 annual report on the operations of the portal."

18 SECTION 3. This Act shall take effect upon its approval.

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21 INTRODUCED BY: _____
22 BY REQUEST

JUSTIFICATION SHEET

DEPARTMENT: Accounting and General Services

TITLE: A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE.

PURPOSE: To continue the State's oversight of the portal manager permanently. Continued oversight of the portal manager will help ensure that the State's efforts to expand access to information and government services over the Internet are continued.

MEANS: Create a new chapter in the Hawaii Revised Statutes codifying substantive sections of Act 292 Session Laws of Hawaii 2000.

JUSTIFICATION: The Legislature recognized in 2000 that the expansion of the Internet had fundamentally transformed society and the way it conducted business. In order to better serve Hawaii's citizens and businesses in the "new economy," the Legislature foresaw the need for the State to expand access to information and government services over the Internet.

In order to establish, develop, operate, maintain, and expand its Internet portal for the purpose of increasing electronic access and commerce, the State entered into a contract to manage the State's Internet portal. To ensure that the State's Internet resources and services are utilized efficiently and effectively, oversight of the portal manager was necessary.

In response, Act 292, Session Laws of Hawaii 2000, was enacted to, among other things, establish a mechanism for oversight of the State's portal manager. Act 292 established the Access Hawaii Committee (Committee) as the oversight mechanism. Act 292 originally contained a sunset date of June 30, 2003, for the Committee. Act 110, Session Laws of

Hawaii 2003, extended the sunset date to June 30, 2005. Unfortunately, the sunset date was not extended beyond 2005 and the Committee officially ceased to exist.

It is beneficial to continue the Committee and its oversight responsibilities. Although the Committee has been meeting informally since 2005, it is to the benefit of the citizens of Hawaii to reestablish and continue the Committee permanently.

Impact on the public: There should be a positive impact on the public as the Committee will officially and formally be able to continue its oversight of the State's portal manager to ensure that the State's Internet resources are utilized efficiently and effectively.

Impact on the department and other agencies: The impact on the Department of Accounting and General Services and other agencies that utilize the Internet will be positive as there will be continued oversight of the State's portal manager. This will help ensure the effective and efficient use of the State's Internet resources.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: AGS131.

OTHER AFFECTED AGENCIES: State Procurement Office, Office of Information Practices, the four counties, and other agencies that utilize the State's portal manager's services.

EFFECTIVE DATE: Upon approval.