
A BILL FOR AN ACT

RELATING TO INFORMATION TECHNOLOGY.

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

1 SECTION 1. The legislature finds that in March 2009, the
2 auditor released Report No. 09-06: "Audit of the State of
3 Hawai'i's Information Technology: Who's in Charge?", conducted
4 pursuant to section 23-4, Hawaii Revised Statutes, which
5 requires the auditor to conduct postaudits of the transactions,
6 accounts, programs, and performance of all departments, offices,
7 and agencies of the State and its political subdivisions. Chief
8 among the report's findings is the recommendation that the
9 governor formally assign responsibility for the development and
10 execution of the information technology strategic plan to the
11 State's chief information officer. The report also made several
12 recommendations to the legislature to explicate the
13 responsibilities of the various information technology
14 governance entities.

15 The purpose of this Act is to implement the information
16 technology recommendations of auditor's Report No. 09-06 by
17 establishing a full-time chief information officer and an
18 information technology steering committee. This Act also



1 establishes the shared services technology special fund to
2 facilitate the State's ability to generate overall cost
3 reductions through economies of scale and decreased
4 administrative burdens.

5 SECTION 2. Chapter 27, part VII, Hawaii Revised Statutes,
6 is amended by adding a new section to be appropriately
7 designated and to read as follows:

8 **"§27- Information technology; chief information**
9 **officer; information technology steering committee;**
10 **establishment; responsibilities.** (a) There is established
11 within the office of the governor a full-time chief information
12 officer to organize, manage, and oversee statewide information
13 technology governance, including supervision and oversight of
14 the information and communication services division of the
15 department of accounting and general services. The chief
16 information officer shall be appointed by the governor as
17 provided in section 26-34. The chief information officer shall
18 report directly to the governor and, in conjunction with the
19 information technology steering committee, shall:

20 (1) Develop, implement, and manage statewide information
21 technology governance;



- 1 (2) Develop, implement, and manage the state information
2 technology strategic plans;
- 3 (3) Develop and implement statewide technology standards;
- 4 (4) Report annually to the governor and the legislature on
5 the status and implementation of the state information
6 technology strategic plan; and
- 7 (5) Perform other necessary or desirable functions to
8 facilitate the intent of this section.
- 9 (b) There is established an information technology
10 steering committee to assist the chief information officer in
11 developing the State's information technology standards and
12 policies, including but not limited to:
- 13 (1) Assisting the chief information officer in developing
14 and implementing the state information technology
15 strategic plans;
- 16 (2) Assessing executive branch departments' progress in
17 meeting the objectives defined in the state
18 information technology strategic plans and identifying
19 best practices for shared or consolidated services;
- 20 (3) Ensuring technology projects are selected based on
21 their potential impact and risk to the State, as well
22 as their strategic value;



- 1 (4) Ensuring that executive branch departments maintain
2 sufficient tools to assess the value and benefits of
3 technology initiatives;
- 4 (5) Assisting the chief information officer in developing
5 state information technology standards and policies;
6 and
- 7 (6) Clarifying the roles, responsibilities, and authority
8 of the information and communication services
9 division, specifically as it relates to its statewide
10 duties.

11 The members of the information technology steering
12 committee shall be appointed by the senate president and speaker
13 of the house of representatives in equal number respectively and
14 shall include representatives from executive branch departments,
15 including large user agencies such as the department of
16 education and the University of Hawaii; the judiciary; the
17 legislature; and private individuals. The chief information
18 officer shall serve as the chair of the committee and shall
19 ensure that the committee is evaluated periodically.

20 (c) There is established within the department of budget
21 and finance a special fund to be known as the shared services
22 technology special fund to be administered and expended by the

1 chief information officer for the purposes of this subsection.
2 per cent of the receipts collected from special funds
3 pursuant to section 36-27 shall be deposited into the shared
4 services technology special fund. Any law to the contrary
5 notwithstanding, the moneys in the fund shall be used to fund
6 the operations of the chief information officer and the
7 information technology steering committee, including the
8 employment and training of staff and any other activities deemed
9 necessary by the chief information officer to carry out the
10 purposes of this section."

11 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§36-27 Transfers from special funds for central service**
14 **expenses.** (a) Except as provided in this section, and
15 notwithstanding any other law to the contrary, from time to
16 time, the director of finance, for the purpose of defraying the
17 prorated estimate of central service expenses of government in
18 relation to all special funds, except the:

19 (1) Special out-of-school time instructional program fund
20 under section 302A-1310;

21 (2) School cafeteria special funds of the department of
22 education;



- 1 (3) Special funds of the University of Hawaii;
- 2 (4) State educational facilities improvement special fund;
- 3 (5) Convention center enterprise special fund under
- 4 section 201B-8;
- 5 (6) Special funds established by section 206E-6;
- 6 (7) Housing loan program revenue bond special fund;
- 7 (8) Housing project bond special fund;
- 8 (9) Aloha Tower fund created by section 206J-17;
- 9 (10) Funds of the employees' retirement system created by
- 10 section 88-109;
- 11 (11) Unemployment compensation fund established under
- 12 section 383-121;
- 13 (12) Hawaii hurricane relief fund established under chapter
- 14 431P;
- 15 (13) Hawaii health systems corporation special funds and
- 16 the subaccounts of its regional system boards;
- 17 (14) Tourism special fund established under section
- 18 201B-11;
- 19 (15) Universal service fund established under [~~chapter~~
- 20 ~~269,~~] section 269-42;
- 21 (16) Emergency and budget reserve fund under section
- 22 328L-3;



- 1 (17) Public schools special fees and charges fund under
2 section 302A-1130[~~(f)~~];
- 3 (18) Sport fish special fund under section 187A-9.5;
- 4 (19) Glass advance disposal fee [~~special fund~~] established
5 by section 342G-82;
- 6 (20) Center for nursing special fund under section
7 304A-2163;
- 8 (21) Passenger facility charge special fund established by
9 section 261-5.5;
- 10 (22) Court interpreting services revolving fund under
11 section 607-1.5;
- 12 (23) Hawaii cancer research special fund;
- 13 (24) Community health centers special fund;
- 14 (25) Emergency medical services special fund; [and]
- 15 (26) Rental motor vehicle customer facility charge special
16 fund established under section 261-5.6[~~7~~]; and
- 17 (27) Shared services technology special fund under section
18 27-_____ ,
- 19 shall deduct five per cent of all receipts of all special funds,
20 which deduction shall be transferred to the general fund of the
21 State and become general realizations of the State. All
22 officers of the State and other persons having power to allocate



1 or disburse any special funds shall cooperate with the director
2 in effecting these transfers. To determine the proper revenue
3 base upon which the central service assessment is to be
4 calculated, the director shall adopt rules pursuant to chapter
5 91 for the purpose of suspending or limiting the application of
6 the central service assessment of any fund. No later than
7 twenty days prior to the convening of each regular session of
8 the legislature, the director shall report all central service
9 assessments made during the preceding fiscal year.

10 (b) Notwithstanding any other law to the contrary, the
11 director shall deposit per cent of all moneys collected
12 pursuant to subsection (a) into the shared services technology
13 special fund established pursuant to section 27- ."

14 SECTION 4. Section 36-30, Hawaii Revised Statutes, is
15 amended by amending subsections (a) and (b) to read as follows:

16 "(a) Each special fund, except the:
17 (1) Transportation use special fund established by section
18 261D-1;
19 (2) Special out-of-school time instructional program fund
20 under section 302A-1310;
21 (3) School cafeteria special funds of the department of
22 education;



- 1 (4) Special funds of the University of Hawaii;
- 2 (5) State educational facilities improvement special fund;
- 3 (6) Special funds established by section 206E-6;
- 4 (7) Aloha Tower fund created by section 206J-17;
- 5 (8) Funds of the employees' retirement system created by
- 6 section 88-109;
- 7 (9) Unemployment compensation fund established under
- 8 section 383-121;
- 9 (10) Hawaii hurricane relief fund established under section
- 10 431P-2;
- 11 (11) Convention [+]center[+] enterprise special fund
- 12 established under section 201B-8;
- 13 (12) Hawaii health systems corporation special funds and
- 14 the subaccounts of its regional system boards;
- 15 (13) Tourism special fund established under section
- 16 201B-11;
- 17 (14) Universal service fund established under [~~chapter~~
- 18 ~~269;~~ section 269-42;
- 19 (15) Emergency and budget reserve fund under section
- 20 328L-3;
- 21 (16) Public schools special fees and charges fund under
- 22 section 302A-1130[~~(f)~~];



- 1 (17) Sport fish special fund under section 187A-9.5;
- 2 (18) Center for nursing special fund under section
- 3 304A-2163;
- 4 (19) Passenger facility charge special fund established by
- 5 section 261-5.5;
- 6 (20) Court interpreting services revolving fund under
- 7 section 607-1.5;
- 8 (21) Hawaii cancer research special fund;
- 9 (22) Community health centers special fund;
- 10 (23) Emergency medical services special fund; [and]
- 11 (24) Rental motor vehicle customer facility charge special
- 12 fund established under section 261-5.6[7]; and
- 13 (25) Shared services technology special fund under section
- 14 27-_____ ,
- 15 shall be responsible for its pro rata share of the
- 16 administrative expenses incurred by the department responsible
- 17 for the operations supported by the special fund concerned.
- 18 (b) Administrative expenses shall include:
- 19 (1) Salaries;
- 20 (2) Maintenance of buildings and grounds;
- 21 (3) Utilities; [and]
- 22 (4) General office expenses[-]; and



1 (5) Implementation of information technology policies
2 developed by the chief information officer and the
3 information technology steering committee pursuant to
4 section 27- ."

5 SECTION 5. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect on January 1, 2099;
8 provided that:

9 (1) The authority to appoint the chief information officer
10 pursuant to section 2 of this Act shall take effect on
11 January 1, 2011; and

12 (2) The amendments made to sections 36-27 and 36-30,
13 Hawaii Revised Statutes, by sections 3 and 4 of this
14 Act shall not be repealed when those sections are
15 reenacted on June 30, 2015, by section 34 of Act 79,
16 Session Laws of Hawaii 2009.



Report Title:

Information Technology; Auditor Report; Chief Information Officer

Description:

Implements the information technology recommendations of Auditor's Report No. 09-06; establishes within the office of the governor a chief information officer and information technology steering committee to organize, manage, and oversee statewide information technology governance. Creates the shared services technology special fund to be funded by an unspecified percentage of central service fees. Effective 01/01/2099.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

