



GOV. MSG. NO. 1187

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 7, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 7, 2011, the following bill was signed into law:

HB1060 HD1 SD2 CD1

RELATING TO INFORMATION TECHNOLOGY
Act 084 (11)


NEIL ABERCROMBIE
Governor, State of Hawaii

ORIGINAL

Approved by the Governor
JUN 7 2011

on ~~HOUSE OF REPRESENTATIVES~~
HOUSE OF REPRESENTATIVES
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

ACT 084
H.B. NO. 1060
H.D. 1
S.D. 2
C.D. 1

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 Act 200, Session
2 Laws of Hawaii 2010, implemented the information technology
3 recommendations of Auditor's Report No. 09-06, "Audit of the
4 State of Hawai'i's Information Technology: Who's in Charge?", by
5 establishing a full-time chief information officer and an
6 information technology steering committee. This Act also
7 established the shared services technology special fund to
8 facilitate the State's ability to generate overall cost
9 reductions through economies of scale and decreased
10 administrative burdens.

11 In addition, Act 200 requested that the governor report to
12 the legislature prior to the 2011 regular session with
13 recommendations for the most appropriate state agency to house
14 the chief information officer and any personnel under the
15 authority of the chief information officer; the appropriate
16 funding level for the shared services technology special fund
17 established in section 27-43(c), Hawaii Revised Statutes; and
18 the designated percentage of all moneys collected pursuant to

HB1060 CD1 HMS 2011-4053



1 section 36-27(a), Hawaii Revised Statutes, for deposit into the
2 shared services technology special fund.

3 The legislature further finds that the provisions of Act
4 200 have proven essential - and prophetic - regarding the
5 State's information technology security, given recent high
6 profile security breaches affecting state agencies. In
7 particular, fourteen positions requested in H.B. No. 200, H.D.
8 1, S.D. 1, are critical to the successful implementation of
9 increased data security requirements and enhanced training for
10 state agencies.

11 The purpose of this Act is to implement recommendations
12 regarding:

- 13 (1) Placement of the chief information officer in the
14 department of accounting and general services; and
15 (2) Designation of the percentage of all moneys collected
16 pursuant to section 36-27(a), Hawaii Revised Statutes,
17 for deposit into the shared services technology
18 special fund at three per cent, which will ensure an
19 income of approximately \$1,200,000 annually for the
20 uses of the fund, and a significant savings of general
21 fund revenues.



1 SECTION 2. Section 27-43, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§27-43[+]~~ **Information technology; chief information**
4 **officer; information technology steering committee;**
5 **establishment; responsibilities.** (a) There is established
6 within the ~~[office of the governor]~~ department of accounting and
7 general services a full-time chief information officer to
8 organize, manage, and oversee statewide information technology
9 governance, including supervision and oversight of the
10 information and communication services division of the
11 department of accounting and general services. The chief
12 information officer shall be appointed by the governor as
13 provided in section 26-34. The chief information officer shall
14 report directly to the governor and, in conjunction with the
15 information technology steering committee, shall:

- 16 (1) Develop, implement, and manage statewide information
17 technology governance;
- 18 (2) Develop, implement, and manage the state information
19 technology strategic plans;
- 20 (3) Develop and implement statewide technology standards;



- 1 (4) Report annually to the governor and the legislature on
2 the status and implementation of the state information
3 technology strategic plan; [~~and~~]
- 4 (5) Perform other necessary or desirable functions to
5 facilitate the intent of this section[-]; and
- 6 (6) Employ persons exempt from chapters 76 and 89.
- 7 (b) There is established an information technology
8 steering committee to assist the chief information officer in
9 developing the State's information technology standards and
10 policies, including but not limited to:
- 11 (1) Assisting the chief information officer in developing
12 and implementing the state information technology
13 strategic plans;
- 14 (2) Assessing executive branch departments' progress in
15 meeting the objectives defined in the state
16 information technology strategic plans and identifying
17 best practices for shared or consolidated services;
- 18 (3) Ensuring technology projects are selected based on
19 their potential impact and risk to the State, as well
20 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 in equal number by the senate
13 president and speaker of the house of representatives [~~in equal~~
14 ~~number~~], respectively, and shall include representatives from
15 executive branch departments, including large user agencies such
16 as the department of education and the University of Hawaii; the
17 judiciary; the legislature; and private individuals. The chief
18 information officer shall serve as the chair of the committee
19 and shall ensure that the committee is evaluated periodically.

20 (c) There is established within the department of [~~budget~~
21 ~~and finance~~] accounting and general services a special fund to
22 be known as the shared services technology special fund to be



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

11 (d) The chief information officer and the comptroller may
12 raise funds to defray administrative costs and may accept
13 donations of money and personal property on behalf of the
14 information technology steering committee; provided that all
15 donations accepted from private sources shall be expended in the
16 manner prescribed by the contributor, and all moneys received
17 shall be deposited into the information technology trust
18 account. The chief information officer may also directly
19 receive donated personal services and personal property for
20 which funding is not required.

21 (e) The chief information officer shall submit an annual
22 report to the governor and the legislature no later than twenty



1 days prior to the convening of each regular session of the
2 legislature on the activities and programs under the authority
3 of the chief information officer and the information technology
4 steering committee, and the expenditures of all moneys received
5 from all sources and deposited into the information technology
6 trust account and the shared services technology special fund."

7 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) Notwithstanding any other law to the contrary, the
10 director shall deposit three per cent of all moneys collected
11 pursuant to subsection (a) into the shared services technology
12 special fund established pursuant to section 27-43."

13 SECTION 4. There is appropriated out of the shared
14 services technology special fund established pursuant to section
15 27-43, Hawaii Revised Statutes, the sum of \$1,200,000 or so much
16 thereof as may be necessary for fiscal year 2011-2012 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2012-2013 to fund the operations of the chief information
19 officer and the information technology steering committee,
20 including the employment and training of staff and any other
21 activities deemed necessary by the chief information officer.

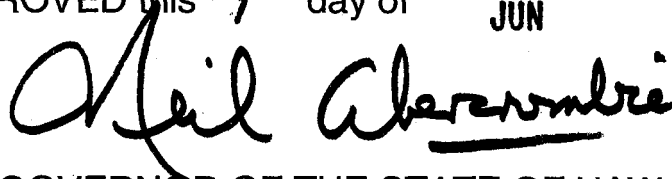


1 The sums appropriated shall be expended by the department
2 of accounting and general services for the purposes of this Act.

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

5 SECTION 6. This Act shall take effect on July 1, 2011.

APPROVED this 7 day of JUN, 2011



GOVERNOR OF THE STATE OF HAWAII

