
A BILL FOR AN ACT

RELATING TO ENTERPRISE TECHNOLOGY SERVICES.

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

1 SECTION 1. In 2009, the legislative auditor reported that
2 the State's management of information technology was weak and
3 ineffective, requiring clearly defined roles, duties, and
4 responsibilities. The report noted that, without an effective
5 chief information officer, the State cannot ensure that its
6 information technology investments are "cost effective,
7 optimally utilized, adequately planned for future growth, or
8 have the operational flexibility to easily adapt to changing
9 requirements."

10 The purposes of this Act are to clearly establish the chief
11 information officer as the State's information technology
12 leader; delete statutory references to the information and
13 communication services division of the department of accounting
14 and general services; and consolidate the office of information
15 management and technology and the information and communication
16 services division of the department of accounting and general
17 services, including all related information technology



1 functions, in the office of enterprise technology services under
2 the direction of the chief information officer.

3 SECTION 2. Section 26-6, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) The department shall:

- 6 (1) Preaudit and conduct after-the-fact audits of the
7 financial accounts of all state departments to
8 determine the legality of expenditures and the
9 accuracy of accounts;
- 10 (2) Report to the governor and to each regular session of
11 the legislature as to the finances of each department
12 of the State;
- 13 (3) Administer the state risk management program;
- 14 (4) Establish and manage motor pools;
- 15 (5) Manage the preservation and disposal of all records of
16 the State;
- 17 (6) Undertake the program of centralized engineering and
18 office leasing services, including operation and
19 maintenance and lease buyback processing pursuant to
20 subsection (d) of public buildings, for departments of
21 the State;



- 1 (7) Undertake the functions of the state surveyor;
- 2 (8) Establish accounting and internal control systems;
- 3 (9) [~~Provide~~] Under the direction of the chief information
4 officer, provide centralized computer information
5 management and processing services [~~, coordination in~~
6 ~~the use of all information processing equipment,~~
7 ~~software, facilities, and services in the executive~~
8 ~~branch of the State, and consultation and support~~
9 ~~services in the use of information processing and~~
10 ~~management technologies to improve the efficiency,~~
11 ~~effectiveness, and productivity of state government~~
12 ~~programs; and~~];
- 13 (10) [~~Establish, coordinate, and manage~~] Under the
14 direction of the chief information officer, establish
15 a program to provide a means for public access to
16 public information and develop [~~and operate~~] an
17 information network [~~in conjunction with its overall~~
18 ~~plans for establishing a communication backbone~~] for
19 state government; and
- 20 (11) Assume administrative responsibility for the office of
21 information practices."



1 SECTION 3. Section 27-43, Hawaii Revised Statutes, is
2 amended by amending its title and subsection (a) to read as
3 follows:

4 "§27-43 [~~Information technology,~~] Office of enterprise
5 technology services; chief information officer; information
6 technology steering committee; establishment; responsibilities.

7 (a) There is established within the department of accounting
8 and general services the office of enterprise technology
9 services, which shall be headed by a full-time chief information
10 officer to organize, manage, and oversee statewide information
11 technology governance [~~, including supervision and oversight of~~
12 ~~the information and communication services division of the~~
13 ~~department of accounting and general services]~~. The chief
14 information officer shall be appointed by the governor as
15 provided in section 26-34. The chief information officer shall
16 report directly to the governor and, in conjunction with the
17 information technology steering committee, shall:

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



- 1 (3) Develop and implement statewide technology standards;
- 2 (4) As part of the budget execution process, work with
- 3 state departments and agencies to coordinate all
- 4 information technology related procurement to ensure
- 5 that the purchases comply with the office of
- 6 enterprise technology services systems for software
- 7 updates, patch management, and security parameters;
- 8 [~~4~~] (5) Report annually to the governor and the
- 9 legislature on the status and implementation of the
- 10 state information technology strategic plan;
- 11 [~~5~~] (6) Perform other necessary or desirable functions to
- 12 facilitate the intent of this section; [~~and~~]
- 13 [~~6~~] (7) Employ persons exempt from chapters 76 and 89[~~7~~];
- 14 (8) Provide centralized computer information management
- 15 and processing services, coordination in the use of
- 16 all information processing equipment, software,
- 17 facilities, and services in the executive branch of
- 18 the State, and consultation and support services in
- 19 the use of information processing and management
- 20 technologies to improve the efficiency, effectiveness,
- 21 and productivity of state government programs;



- 1 (9) Establish, coordinate, and manage a program to provide
2 a means for public access to public information and
3 develop and operate an information network in
4 conjunction with its overall plans for establishing a
5 communication backbone for state government; and
6 (10) Adopt rules, pursuant to chapter 91, necessary for the
7 purposes of this part."

8 SECTION 4. Section 27G-3, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 " (b) The committee shall consist of not more than fifteen
11 voting[+], [+] ex officio members, or their designated
12 representatives, as follows:

13 (1) The comptroller;

14 [~~2~~] ~~The administrator of the information and communication~~
15 ~~services division of the department of accounting and~~
16 ~~general services;~~

17 ~~(3)]~~ (2) The administrator of the state procurement
18 office;

19 [~~4~~] (3) The director of the office of information
20 practices;



1 appoint a portal program manager exempt from chapter 76, which
2 position may be funded by the special fund. Expenditures from
3 the access Hawaii committee special fund shall be approved by
4 the access Hawaii committee; provided that information on income
5 and expenditures shall be subject to legislative review and
6 oversight in each budget submittal from the department of
7 accounting and general services."

8 SECTION 6. Section 487N-5, Hawaii Revised Statutes is
9 amended to read as follows:

10 "§487N-5 Information privacy and security council;
11 established; duties; reports. (a) There is established an
12 information privacy and security council within the department
13 of accounting and general services for administrative purposes
14 only. Members of the council shall be appointed no later than
15 September 1, 2008, by the governor without regard to section 26-
16 34 and shall be composed of the following representatives:

17 (1) Executive agencies that maintain extensive personal
18 information in the conduct of their duties, including
19 the department of commerce and consumer affairs, the
20 department of education, the department of health, the
21 department of human resources development, the



1 department of human services, and the University of
2 Hawaii, to be selected by the governor;

3 (2) The legislature, to be selected by the president of
4 the senate and the speaker of the house of
5 representatives;

6 (3) The judiciary, to be selected by the [~~administrator of~~
7 ~~the courts,~~] chief justice of the Hawaii supreme
8 court; and

9 (4) The four counties, to be selected by the mayor of each
10 county; provided that the mayor of each county shall
11 determine the extent to which the county may or may
12 not participate.

13 The chief information officer or the chief information
14 officer's designee shall serve as chair of the council.

15 (b) By January 1, 2009, the council shall submit to the
16 legislature a report of the council's assessment and
17 recommendations on initiatives to mitigate the negative impacts
18 of identity theft incidents on individuals. The report shall
19 emphasize assessing the merits of identity theft passport and
20 identity theft registry initiatives that have been implemented
21 in other states.



1 (c) No later than June 30, 2009, the council shall develop
2 guidelines to be considered by government agencies in deciding
3 whether, how, and when a government agency shall inform affected
4 individuals of the loss, disclosure, or security breach of
5 personal information that can contribute to identify theft. The
6 guidelines shall provide a standardized, risk-based notification
7 process in the instance of a security breach.

8 (d) The council shall review the individual annual reports
9 submitted by government agencies, pursuant to section 487N-7 and
10 submit a summary report to the legislature no later than twenty
11 days prior to the convening of the regular session of 2010 and
12 each year thereafter. The summary report shall include the
13 council's findings, significant trends, and recommendations to
14 protect personal information used by government agencies.

15 The initial report to the legislature also shall include
16 proposed legislation to amend section 487N-2 or any other law
17 that the council deems necessary to conform to the guidelines
18 established under subsection (c).

19 (e) The [~~comptroller~~] chief information officer may
20 establish support positions for the [~~information and~~
21 ~~communication services division,~~] office of enterprise



1 technology services, including but not limited to, [~~legal~~
2 ~~support~~] information technology, human resources and personnel,
3 records management, and administrative support."

4 SECTION 7. All rights, powers, functions, and duties of
5 the office of information management and technology and the
6 information and communication services division of the
7 department of accounting and general services relating to
8 information technology are consolidated under the office of
9 enterprise technology services. The chief information officer
10 shall amend or repeal rules under chapter 91, Hawaii Revised
11 Statutes, as necessary.

12 SECTION 8. All rules, policies, procedures, guidelines,
13 and other materials adopted or developed by the department of
14 accounting and general services or the information and
15 communication services division of the department of accounting
16 and general services to implement provisions of the Hawaii
17 Revised Statutes that are reenacted or made applicable to the
18 office of enterprise technology services by this Act shall
19 remain in full force and effect until amended or repealed by the
20 chief information officer pursuant to chapter 91, Hawaii Revised
21 Statutes. In the interim, every reference to the department of



1 accounting and general services or the information and
2 communication services division in those rules, policies,
3 procedures, guidelines, and other material is deemed to refer to
4 the office of enterprise technology services, as appropriate.

5 SECTION 9. All leases, contracts, loans, agreements,
6 permits, or other documents executed or entered into by or on
7 behalf of the office of information management and technology of
8 the department of accounting and general services or the
9 information and communication services division of the
10 department of accounting and general services, pursuant to the
11 provisions of the Hawaii Revised Statutes, that are reenacted or
12 made applicable to the office of enterprise technology services
13 by this Act, shall remain in full force and effect. Effective
14 July 2, 2016, every reference to the information and
15 communication services division therein shall be construed as a
16 reference to the office of enterprise technology services as
17 appropriate.

18 SECTION 10. All appropriations, records, equipment,
19 machines, files, supplies, contracts, books, papers, documents,
20 maps, and other personal property heretofore made, used,
21 acquired, or held by the department of accounting and general



1 services or information and communication services division of
2 the department of accounting and general services relating to
3 the functions transferred to the office of enterprise technology
4 services shall be transferred with the functions to which they
5 relate.

6 SECTION 11. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 12. This Act, upon its approval, shall take effect
9 on July 2, 2112.



Report Title:

Consolidation of the Office of Information Management and Technology and the Information and Communication Services Division

Description:

Consolidates the Office of Information Management and Technology and the Information and Communication Services Division of the Department of Accounting and General Services, including all related information technology functions, in the Office of Enterprise Technology Services under the direction of the Chief Information Officer. The amendments are intended to create greater efficiency in state government and clarify roles and responsibilities in new governance processes by consolidating the two programs that already fall under the oversight of the Chief Information Officer. Effective 7/2/2112.

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

