
A BILL FOR AN ACT

RELATING TO STATE FACILITIES.

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

1 SECTION 1. Section 26-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§26-6 Department of accounting and general services. (a)

4 The department of accounting and general services shall be
5 headed by a single executive to be known as the comptroller.

6 (b) The department shall:

7 (1) Preaudit and conduct after-the-fact audits of the
8 financial accounts of all state departments to
9 determine the legality of expenditures and the
10 accuracy of accounts;

11 (2) Report to the governor and to each regular session of
12 the legislature as to the finances of each department
13 of the State;

14 (3) Administer the state risk management program;

15 (4) Establish and manage motor pools;

16 (5) Manage the preservation and disposal of all records of
17 the State;



- 1 (6) Undertake the program of centralized engineering and
2 office leasing services, including operation ~~[and]~~,
3 maintenance, lease negotiation, and lease processing
4 of public buildings, for departments of the State;
- 5 (7) Notwithstanding any other law to the contrary,
6 negotiate and process leases for departments and
7 agencies of the State;
- 8 ~~[(7)]~~ (8) Undertake the functions of the state surveyor;
- 9 ~~[(8)]~~ (9) Establish accounting and internal control
10 systems;
- 11 ~~[(9)]~~ (10) Provide centralized computer information
12 management and processing services, coordination in
13 the use of all information processing equipment,
14 software, facilities, and services in the executive
15 branch of the State, and consultation and support
16 services in the use of information processing and
17 management technologies to improve the efficiency,
18 effectiveness, and productivity of state government
19 programs; and
- 20 ~~[(10)]~~ (11) Establish, coordinate, and manage a program to
21 provide a means for public access to public



1 information and develop and operate an information
2 network in conjunction with its overall plans for
3 establishing a communication backbone for state
4 government.

5 (c) The state communication system shall be established
6 to:

7 (1) Facilitate implementation of the State's distributed
8 information processing and information resource
9 management plans;

10 (2) Improve data, voice, and video communications in state
11 government;

12 (3) Provide a means for connectivity among the state,
13 university, and county computer systems; and

14 (4) Provide a long-term means for public access to public
15 information.

16 (d) The department shall facilitate a facility agreement
17 with any private investor for the sale of a state facility to
18 the private investor; provided that the facility agreement
19 contains the following requirements:

20 (1) The State shall sell the facility to the private
21 investor, who shall:



1 (A) Renovate, improve, or construct a facility for
2 the State and may maintain the facility; and

3 (B) Lease the facility to the State, pursuant to a
4 building lease; and

5 (2) The State shall have the option of purchasing the
6 facility from the private investor for the remaining
7 balance of the debt service costs incurred by the
8 private investor at any time.

9 For purposes of this subsection:

10 "Building lease" means a contract between the department of
11 accounting and general services and a private investor in which
12 the private investor leases an improved facility to the
13 department for a specified period of time.

14 "Facility" means a building under the management and
15 control of any state department.

16 "Facility agreement" means an agreement between the State
17 and a private investor which, at a minimum, includes:

18 (1) A description of the work to be done;

19 (2) The sale price for the facility;

20 (3) The duration of the agreement;



1 (4) The roles and responsibilities of the State and the
2 private investor; and

3 (5) The terms and conditions for the lease.

4 "Private investor" means a non-governmental entity.

5 [~~d~~] (e) The department may adopt rules as may be
6 necessary or desirable for the operation and maintenance of
7 public buildings, [~~and~~] for the operation and implementation of
8 a program to provide a means for public access to the State's
9 information network system and public information~~[-]~~, and for
10 the implementation of facility agreements pursuant to subsection
11 (d). The rules shall be adopted pursuant to chapter 91.

12 [~~e~~] (f) The King Kamehameha celebration commission shall
13 be placed within the department of accounting and general
14 services for administrative purposes. The functions, duties,
15 and powers, subject to the administrative control of the
16 comptroller, and the composition of the commission shall be as
17 heretofore provided by law.

18 [~~f~~] (g) The functions and authority heretofore exercised
19 by the comptroller, board of commissioners of public archives,
20 the archivist, the disposal committee, and the insurance
21 management, surplus property management, and central purchasing



1 functions of the bureau of the budget and the nonhighway
2 functions of the department of public works as heretofore
3 constituted are transferred to the department of accounting and
4 general services established by this chapter.

5 ~~[(g)]~~ (h) The department of accounting and general
6 services shall preserve and protect Washington Place, including
7 the grounds and the historic residence situated on its premises
8 at Miller and Beretania Streets in Honolulu. The department
9 shall administer, manage, operate, and maintain Washington Place
10 and the trust fund created under subsection (h).

11 ~~[(h)]~~ (i) There is established a trust fund in the state
12 treasury to be known as the Washington Place trust fund, into
13 which shall be deposited:

14 (1) All rents and fees collected for the use of Washington
15 Place and from activities conducted on the premises;

16 (2) All other money received for the fund from any other
17 source; and

18 (3) All income and interest earned or accrued on moneys
19 deposited into the trust fund.

20 All moneys deposited into the trust fund shall be expended
21 by the department of accounting and general services and used



1 exclusively to implement the provisions of subsection (g),
2 including for staff salaries and fringe benefits, and shall not
3 be transferred, nor subject to transfer, to the general fund or
4 any other fund in the state treasury."

5 SECTION 2. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect on July 1, 2050.

8



Report Title:

Department of Accounting and General Services; Lease
Negotiation; Facility Agreements; Private Investors

Description:

Establishes DAGS as the department responsible for negotiating
and processing leases for state departments. Requires DAGS to
facilitate facility agreements between the State and private
investors. Effective 07/01/2050. (SD1)

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not legislation or evidence of legislative intent.*

