

**"CHAPTER 27
STATE FUNCTIONS AND RESPONSIBILITIES**

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"PART I. GENERAL PROVISIONS

§27-1 Functions of statewide concern. The purpose of the chapter is to fix responsibility for certain functions, which are of statewide concern, in the state government. These functions which are declared to be state functions are as follows:

- (1) Planning, construction, improvement and maintenance of public school facilities and grounds and the transportation of school children; provided that nothing in this paragraph shall preclude the several counties from expending their own funds to supplement state funds;
- (2) Burial of indigents;
- (3) Planning, construction, improvement, maintenance, and operation of public hospitals and other public health and medical facilities;
- (4) Rendering of medical treatment and hospitalization services to state and county pensioners;
- (5) Administration and operation of district courts; and
- (6) Providing information and services to the public through joint cooperation with the several counties.
[L 1965, c 97, §2; Supp, §14B-1; HRS §27-1; am L 1968, c 38, §2; am L 1975, c 150, §2]

Case Notes

Cited re allowing counties to supplement education funds. 411 U.S. 1.

Paragraph (1) is unconstitutional to extent it authorizes appropriations for transportation of nonpublic school children. 51 H. 1, 449 P.2d 130.

Cited: 56 H. 582, 545 P.2d 684.

" **§27-2 Assignment of functions by governor; report.** The governor may assign the functions in section 27-1, except the administration and operation of district courts, to such

respective department or departments as can most appropriately and effectively perform the functions. [L 1965, c 97, §2; Supp, §14B-2; HRS §27-2]

Cross References

Transfer of district courts to the judiciary branch, see L 1965, c 97, §21.

" **§27-3 Rights and powers transferred; bond obligations.**

The state department to which functions have been assigned by the governor shall succeed to all the rights and powers exercised, and all of the duties and obligations incurred by the counties in the exercise of the functions transferred, whether the powers, duties, and obligations are mentioned in or granted by any law, contract, or other document; provided that the counties shall not be relieved of their obligation of paying the interest and principal on bonds which have been issued for improvements related to the functions set forth above. Except as provided herein, all references to a county, in any law, contract, or document in connection with the functions assigned to the State by this chapter shall apply to the state government or respective state department as the case may be as if it were specifically named in the law, contract, or document in place of the county or any agency thereof. [L 1965, c 97, §4; Supp, §14B-4; HRS §27-3]

" **§27-4 Offenses and penalties not affected; suits and actions.** No offense committed and no penalty or forfeiture incurred under the laws of the State or any county ordinance or rule or regulation shall be affected by the assignment of functions to the State by this chapter; provided that whenever any punishment, penalty, or forfeiture is mitigated by any provision of this chapter, such provision may be extended and applied to any judgment pronounced after May 29, 1965. No suit or prosecution, pending at the time this chapter takes effect, shall be affected by this chapter. The right of any administrative officer of the county to institute proceedings for prosecution for an offense or any action to recover a penalty or forfeiture shall henceforth be vested in the head of the state department to which the function has been assigned by the governor or some person designated by the head of the department or the governor or as may be otherwise directed by law.

The right of appeal from administrative actions or determinations as provided by law shall not be impaired by this chapter.

Whenever a right of appeal from administrative actions or determinations is provided by law to any county for functions which are assigned to the State, the right of appeal shall lie to or from the state department to which the assignment of function has been made. The right of appeal shall exist to the same extent and in accordance with the procedure as immediately prior to July 1, 1965. [L 1965, c 97, §6; Supp, §14B-5; HRS §27-4]

" **§27-5 Modification to preserve federal aid or bond obligations.** The governor may, only to the extent necessary to preserve the receipt of any federal aid and not to impair the obligation of the State or counties to the holders of any bonds issued by the State or counties, modify the strict provisions of this chapter and shall promptly report any such modification with the governor's reasons therefor to the succeeding legislature for review. [L 1965, c 97, §7; Supp, §14B-6; HRS §27-5; gen ch 1985]

" **[\$27-6] Extended state information and services provided.** The office of the governor shall receive and review requests from state agencies for providing information and services to the public. Upon determination of needed extension services, the office shall solicit the aid and cooperation of the counties. Joint efforts will be made to use existing state and county facilities, and to create new facilities if necessary. [L 1975, c 150, §3]

" **[\$27-7] Departmental data sharing.** (a) The department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, shall share data to support research that will improve educational and workforce outcomes and meet the longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009, as amended. The data to be shared shall be determined jointly by the department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, and shall be shared no less than annually.

(b) The department of education, the University of Hawaii, the department of labor and industrial relations, and other

state agencies, as appropriate, shall share data in a manner that safeguards the confidentiality of student education records, as defined by the federal Family Educational Rights and Privacy Act, and workforce data, as provided by applicable federal and state laws, rules, and regulations.

(c) The department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, shall establish a data governance and access committee that meets on a quarterly basis to determine protocols to:

- (1) Prioritize analyses and research questions that will provide information to improve educational and workforce outcomes and policies; and
- (2) Approve requests for access to data provided by the department of education, the University of Hawaii, the department of labor and industrial [relations], and other state agencies, as appropriate.

(d) All state agency directors shall consider sharing data for the statewide longitudinal data system. [L 2010, c 41, §2]

Revision Note

Section was enacted as an addition to chapter 302A but was renumbered to this chapter pursuant to §23G-15.

"PART II. SCHOOLS

Cross References

Department of education generally, see chapter 302A.

§27-11 Planning, construction, and improvements of public school facilities and grounds; custodial and janitorial services for public schools; transportation of school children. The following functions and services, heretofore performed by the several counties under contractual arrangements with the State, shall be directly administered and performed by the department or departments, or divisions of government designated by the governor:

- (1) Planning, construction, and improvements of public school facilities and grounds; provided that the department of education shall add to its list of considerations in the planning and development of schools the role of the Hawaii public housing authority in developing housing projects and the resulting educational needs of those housing projects;

and provided further that nothing in this section shall be construed to prohibit the Hawaii public housing authority from planning educational facilities and related infrastructure as a necessary and integral part of its housing projects;

- (2) Repair, maintenance, custodial, and janitorial services for public school facilities; and
- (3) Transportation of school children. [L 1967, c 203, §2; HRS §27-11; am L 1995, c 210, §2; am L 1997, c 350, §14; am L 2005, c 196, §26(a); am L 2006, c 180, §16]

" **§§27-12, 13 REPEALED.** L 1988, c 244, §§2, 3.

" **§27-14 Transfer of real property.** No real property or improvements thereon belonging to the several counties and used in the performance of the functions and services covered in this part shall be required to be conveyed to the State; provided that any real property and improvements related and necessary to the performance of the duties covered in section 27-11 shall be reported to the next succeeding legislature by the appropriate department which shall include in the report thereof recommendations for the disposition of the real property and improvements. [L 1967, c 203, §5; HRS §27-14]

" **§27-15 REPEALED.** L 1988, c 244, §4.

"PART III. HEALTH

§27-21 REPEALED. L 1989, c 327, §3.

" **§27-21.1 REPEALED.** L 1989, c 327, §4.

" **§§27-21.2, 21.3 REPEALED.** L 1988, c 244, §§5, 6.

" **§27-21.4 Transfer of real property.** The several counties shall convey to the State all of their respective interests in and to any real property and the improvements used in the functional areas covered by section 27-21.1 and which are directly related to and necessary for the operation and maintenance thereof. The conveyances shall be without cost to

the State or reimbursement to the county, and without compliance with disposal procedures or requirements, any law to the contrary notwithstanding.

If within a period of ten years after January 1, 1970, any of the real property so transferred is abandoned or ceases to be used for purpose stated in the preceding paragraph, the board of land and natural resources shall by resolution declaring such abandonment or cessation as to any of the real property conveyed hereunder or any portion thereof, reconvey such realty or portion to the county from which it had originally been transferred. The provisions of this paragraph shall not apply to state lands that had been set aside for use by the county, or to real property where the major portion of the cost of the land or improvements was financed by state funds. [L 1969, c 265, §4]

Note

Section 27-21.1 referred to in text is repealed.

Revision Note

"January 1, 1970" substituted for "the effective date of this Act".

" **§27-21.5 REPEALED.** L 1988, c 244, §7.

" **§27-21.6 Functions reassigned to the counties.** The following functions are hereby reassigned to the several counties:

- (1) The medical care of inmates of county jails;
- (2) The rendering of medical investigatory services requested by the police;
- (3) Physical examinations of employees to the extent that such functions had been performed immediately prior to the adoption of Act 97, Session Laws of Hawaii 1965;
- (4) The care and treatment of county workers' compensation cases to the extent that such functions had been performed immediately prior to the adoption of Act 97, Session Laws of Hawaii 1965; and
- (5) The regulation of the design, construction, and operation of individual wastewater systems and private wastewater treatment works; provided that:
 - (A) The transfer of this function to each county shall take place on the date that the expenditure

- of start-up funds is made by the State to such county for this purpose; and
- (B) The counties shall approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems. As used in this subparagraph, "composting toilet" means a toilet that uses no water or very little water and uses natural processes to treat waste. [L 1969, c 265, §6; am L 1975, c 41, §1; am L 1978, c 148, §3; am L 1985, c 282, §1; am L 2015, c 187, §2; am L 2016, c 239, §2]

" **§§27-22, 22.5, 22.7, 23, 24 REPEALED.** L 1989, c 327, §§5 to 9.

"PART IV. JUNIOR POLICE

§27-26 Junior police officer training programs. The State shall appropriate funds to facilitate the training programs of the several junior police organizations, and shall make adequate provisions by procuring insurance and assuming liability on the part of the State therefor, for the medical care and hospitalization of children who may be injured, for the defrayment of funeral expenses and for the death of children dying from injuries received, and for the protection against public liability, while performing duty as junior police officers and in all other activities certified as proper junior police functions by the police departments of the several counties, as follows:

The cost of medical care and hospitalization of any child so injured will be met in a sum not to exceed \$20,000 and the funeral expenses of any child dying from injuries received while performing such duty will be met in a sum not to exceed \$1,500. A death benefit in the principal sum of \$5,000 shall be awarded to the legal guardian, parents, or designated beneficiary or beneficiaries of the child whose death was caused by reason of participation in junior police activities.

The State shall procure insurance to protect any child participating in the junior police program from claims for damages arising or resulting from the child's activities as a junior officer in an amount not to exceed \$100,000 for each claim or cause of action. This protection for legal liability shall inure to the benefit of the legal guardian or parents of the child in the event they are named as parties to the action.

The right of the child or of any other person lawfully claiming damages by reason of injuries to, or death of the child, shall in nowise be affected by this section. [L 1967, c 203, §9; HRS §27-26; am L 1973, c 151, §1; gen ch 1985]

Cross References

Police departments, generally, see chapter 52D.

Attorney General Opinions

Coverage is limited to JPO's in public schools; to extend coverage to nonpublic schools would violate state constitution. Att. Gen. Op. 73-15.

"PART V. HIGHWAYS; PARKS; HISTORICAL SITES

§27-31 Maintenance of state highways. Notwithstanding any law to the contrary, the governor may enter into contracts with the several counties for their services in the repair and maintenance of state highways, which may include roadway maintenance, structures maintenance, streetlights, street sweeping, landscaping, and cantoneering. In addition thereto, the governor may transfer functions covered herein, or any portion thereof, to the several counties; provided that any transfer of functions made under their authorization shall be temporary and shall be subject to the express approval of the next succeeding legislature. [L 1967, c 203, §10; HRS §27-31]

Cross References

Highways generally, see chapter 264.

" **§27-32 Maintenance of state parks.** Notwithstanding any law to the contrary, the governor may enter into contracts with the several counties for their services in the repair, maintenance, and operation of the buildings and grounds of state parks and historical sites. In addition thereto, the governor may transfer functions covered herein, or any portion thereof, to the several counties; provided that any transfer of functions made under this authorization shall be temporary and shall be subject to the express approval of the next succeeding legislature. [L 1967, c 203, §11; HRS §27-32]

Cross References

Historical sites, see chapter 6E.
Parks, see chapter 184.

"PART VI. REVIEW

§27-36 REPEALED. L 1988, c 244, §8.

"PART VII. [TECHNOLOGY]

[\$27-41] Special advisor for technology development. (a)
There is established within the office of the governor a special advisor for technology development to be appointed by the governor as provided in section 26-34.

(b) The duties of the special advisor shall include but not be limited to:

- (1) Developing, coordinating, and implementing short- and long-range state policies and directions to enhance the development of high technology industries in Hawaii;
- (2) Coordinating all state high technology agencies while developing a plan for reorganization or consolidation of these agencies in the interests of greater efficiency and cost effectiveness;
- (3) Advising the private sector in the development of high technology activities and resources and providing technical or other assistance to private industry upon request;
- (4) Creating, disseminating, and updating a listing of all high technology assistance programs in the State and where they can be reached;
- (5) Pursuing appropriate public-private sector business partnerships;
- (6) Coordinating the State's promotion and marketing of the high technology industry, including a review of current marketing efforts;
- (7) Arranging for the conduct of research through contractual services with the University of Hawaii or any agency or other qualified persons;
- (8) Encouraging the development of educational, training, and career programs in high technology industries; and
- (9) Performing other necessary or desirable functions to facilitate the intent of this section.

(c) In carrying out the duties of this section, the special advisor for technology development may utilize the

services of the State's high technology agencies, including those of the University of Hawaii, as appropriate.

(d) In carrying out the duties of this section, the special advisor for technology development shall seek and utilize any available funding sources, including grant moneys. [L 1999, c 178, pt of §3]

" **[§27-41.1] Definitions.** For purposes of this part:

"Data" means final versions of statistical or factual information:

- (1) In alphanumeric form reflected in a list, table, graph, chart, or other nonnarrative form, that can be digitally transmitted or processed; and
- (2) Regularly created or maintained by or on behalf of and owned by an executive branch department that records a measurement, transaction, or determination related to the mission of that executive branch department.

"Data set" means a named collection of related records on an electronic storage device, with the collection containing individual data units organized or formatted in a specific and prescribed way, often in tabular form, and accessed by a specific access method that is based on the data set organization; provided that a data set shall not include any data that is protected from disclosure under applicable federal or state law, or contract, or data that is proprietary. [L 2013, c 263, pt of §2]

" **§27-42 REPEALED.** L 2007, c 9, §20.

" **§27-43 Office of enterprise technology services; chief information officer; information technology steering committee; establishment; responsibilities.** (a) There is established within the department of accounting and general services the office of enterprise technology services, which shall be headed by a full-time chief information officer to organize, manage, and oversee statewide information technology governance. The chief information officer shall be appointed by the governor as provided in section 26-34. The chief information officer shall report directly to the governor and, in conjunction with the information technology steering committee, shall:

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

- (3) Develop and implement statewide technology standards;
- (4) Work with each executive branch department and agency to develop and maintain its respective multi-year information technology strategic and tactical plans and road maps that are part of the State's overall information technology strategic plans, road maps, and directions;
- (5) Coordinate each executive branch department and agency's information technology budget request, forecast, and procurement purchase to ensure compliance with the department or agency's strategic plan and road map and with the office of enterprise technology services' information technology governance processes and enterprise architecture policies and standards, including policies and standards for systems, services, hardware, software, and security management;
- (6) Report annually to the governor and the legislature on the status and implementation of the state information technology strategic plan;
- (7) Perform other necessary or desirable functions to facilitate the intent of this section;
- (8) Employ persons exempt from chapters 76 and 89;
- (9) Provide centralized computer information management and processing services, coordination in the use of all information processing equipment, software, facilities, and services in the executive branch of the State, and consultation and support services in the use of information processing and management technologies to improve the efficiency, effectiveness, and productivity of state government programs;
- (10) Establish, coordinate, and manage a program to provide a means for public access to public information and develop and operate an information network in conjunction with overall plans for establishing a communication backbone for state government; and
- (11) Adopt rules, pursuant to chapter 91, necessary for the purposes of this part.

(b) There is established an information technology steering committee to assist the chief information officer in developing the State's information technology standards and policies, including but not limited to:

- (1) Assisting the chief information officer in developing and implementing the state information technology strategic plans;
- (2) Assessing executive branch departments' progress in meeting the objectives defined in the state

- information technology strategic plans and identifying best practices for shared or consolidated services;
- (3) Ensuring technology projects are selected based on their potential impact and risk to the State, as well as their strategic value;
 - (4) Ensuring that executive branch departments maintain sufficient tools to assess the value and benefits of technology initiatives;
 - (5) Assisting the chief information officer in developing state information technology standards and policies; and
 - (6) Clarifying the roles, responsibilities, and authority of the office of enterprise technology services, specifically as it relates to its statewide duties.

The information technology steering committee shall consist of eleven members, with four members to be appointed by the senate president, four members to be appointed by the speaker of the house of representatives, one member to be appointed by the chief justice, and one member to be appointed by the governor, and shall include representatives from executive branch departments, including large user agencies such as the department of education and the University of Hawaii; the judiciary; the legislature; and private individuals. The chief information officer shall serve as the chair of the committee and shall ensure that the committee is evaluated periodically.

(c) There is established within the department of accounting and general services a special fund to be known as the shared services technology special fund to be administered and expended by the chief information officer for the purposes of this subsection. Three per cent of the receipts collected from special funds pursuant to section 36-27 shall be deposited into the shared services technology special fund. Any law to the contrary notwithstanding, the moneys in the fund shall be used to fund the operations of the chief information officer and the information technology steering committee, including the employment and training of staff and any other activities deemed necessary by the chief information officer to carry out the purposes of this section.

(d) The chief information officer and the comptroller may raise funds to defray administrative costs and may accept donations of money and personal property on behalf of the information technology steering committee; provided that all donations accepted from private sources shall be expended in the manner prescribed by the contributor, and all moneys received shall be deposited into the information technology trust account. The chief information officer may also directly

receive donated personal services and personal property for which funding is not required.

(e) The chief information officer shall submit an annual report to the governor and the legislature no later than twenty days prior to the convening of each regular session of the legislature on the activities and programs under the authority of the chief information officer and the information technology steering committee, and the expenditures of all moneys received from all sources and deposited into the information technology trust account and the shared services technology special fund. [L 2010, c 200, §2; am L 2011, c 84, §2; am L 2012, c 224, §1; am L 2016, c 58, §3]

Note

Consolidation of functions, duties, etc. of the office of information management and technology and the information and communication services division under the office of enterprise technology services. L 2016, c 58, §§8 to 11.

" **[\$27-43.5] Additional duties of the chief information officer relating to security of government information.** (a) The chief information officer shall provide for periodic security audits of all executive branch departments and agencies regarding the protection of government information and data communication infrastructure.

(b) Security audits may include on-site audits as well as reviews of all written security procedures and documented practices. The chief information officer may contract with a private firm or firms that specialize in conducting security audits; provided that information protected from disclosure by federal or state law, including confidential tax information, shall not be disclosed. All executive branch departments, agencies, boards, or commissions subject to the security audits authorized by this section shall fully cooperate with the entity designated to perform the audit. The chief information officer may direct specific remedial actions to mitigate findings of insufficient administrative, technical, and physical controls necessary to protect state government information or data communication infrastructure.

(c) This section shall not infringe upon responsibilities assigned to the comptroller or the auditor by any state or federal law. [L 2013, c 265, §2]

" **[\$27-44] Electronic data set availability; updates.** (a) Each executive branch department shall use reasonable efforts to make appropriate and existing electronic data sets maintained by the department electronically available to the public through the State's open data portal at data.hawaii.gov or successor website designated by the chief information officer; provided that:

- (1) Nothing in this chapter shall require departments to create new electronic data sets or to make data sets available upon demand;
- (2) Data licensed to the State by another person or entity shall not be made public under this chapter unless the person or entity licensing the data agrees to the public disclosure; and
- (3) Proprietary and other information protected from disclosure by law or contract shall not be disclosed.

Such disclosure shall be consistent with the policies, procedures, and standards developed by the chief information officer and consistent with applicable law, including chapter 92F and other state and federal laws related to security and privacy, and no personally identifiable information shall be posted online unless the identified individual has consented to the posting or the posting is necessary to fulfill the lawful purposes or duties of the department.

(b) Nothing in this chapter shall require the chief information officer to adopt rules pursuant to chapter 91 and nothing in this chapter shall supersede chapter 27G.

(c) Each department shall update its electronic data sets in the manner prescribed by the chief information officer and as often as is necessary to preserve the integrity and usefulness of the data sets to the extent that the department regularly maintains or updates the data sets. [L 2013, c 263, pt of §2]

" **[\$27-44.1] State liability for data sets.** Data sets shall be available for informational purposes only. The State does not warrant the fitness of any data set for a particular purpose and shall not be liable for any deficiencies in the completeness or accuracy of any data set, except where the State's conduct would constitute gross negligence, wilful and wanton misconduct, or intentional misconduct. [L 2013, c 263, pt of §2]

" **[\$27-44.2] Data set licensing.** The chief information officer may make the departments' electronic data sets on data.hawaii.gov available to third parties pursuant to a license, which may require the licensee to allow any user to

copy, distribute, display, or create derivative works at no cost and with an appropriate level of conditions placed on the use. [L 2013, c 263, pt of §2]

" **[\$27-44.3] Data set policies and procedures.** (a) The chief information officer, in consultation with the office of information practices, shall develop policies and procedures to implement section 27-44, including standards to determine which data sets are appropriate for online disclosure as provided in section 27-44; provided that the standards shall not require the departments to post information that is otherwise required to be disclosed under chapter 92F, but is personally identifiable information, information that may pose a personal or public security risk, is of minimal public interest, or is otherwise inappropriate for online disclosure as part of a data set.

(b) The policy and procedures shall include the following:

- (1) Technical requirements with the goal of making data sets available to the greatest number of users and for the greatest number of applications, including whenever practicable, the use of machine readable, nonproprietary technical standards for web publishing; and
- (2) Guidelines for departments to follow in making data sets available. [L 2013, c 263, pt of §2]

" **[\$27-45] Broadband-related permits; automatic approval.**

(a) The State shall approve, approve with modification, or disapprove all applications for broadband-related permits within sixty days of submission of a complete permit application and full payment of any applicable fee; provided that this subsection shall not apply to a conservation district use application for broadband facilities. If, on the sixty-first day, an application is not approved, approved with modification, or disapproved by the State, the application shall be deemed approved by the State.

(b) The State shall approve, approve with modification, or disapprove use applications for broadband facilities within the conservation district within one hundred forty-five days of submission of a complete application and full payment of any applicable fee. If, on the one hundred forty-sixth day, an application is not approved, approved with modification, or disapproved by the State, the application shall be deemed approved by the State.

(c) Permits issued pursuant to this section shall contain the following language: "This is a broadband-related permit issued pursuant to section 27-45, Hawaii Revised Statutes."

(d) An applicant and a public utility shall comply with all applicable safety and engineering requirements relating to the installation, improvement, construction, or development of infrastructure relating to broadband service or broadband technology.

(e) No action shall be prosecuted or maintained against the State, its officials, or employees on account of actions taken in reviewing, approving, modifying, or disapproving a permit application pursuant to this section, or against public utilities resulting from such actions.

(f) The sixty day time period established by subsection (a) shall be extended in the event of a natural disaster, state emergency, or union strike that prevents the applicant, agency, or department from fulfilling application review requirements.

(g) If an application is incomplete, the State shall notify the applicant in writing within ten business days of submittal of the application. The notice shall inform the applicant of the specific requirements necessary to complete the application. The sixty-first day automatic approval provisions under subsection (a) shall continue to apply to the application only if the applicant satisfies the specific requirements of the notice and submits a complete application within five business days of receipt of the notice.

(h) Nothing in this section shall affect the provisions of section 3 of Act 151, Session Laws of Hawaii 2011.

(i) For the purposes of this section, "broadband-related permits" means all state permits required to commence actions with respect to the installation, improvement, construction, or development of infrastructure relating to broadband service or broadband technology, including the interconnection of telecommunications cables, cable installation, tower construction, placement of broadband equipment in the road rights-of-way, and undersea boring, or the landing of an undersea communications cable. The term does not include any state permit for which the approval of a federal agency is explicitly required pursuant to federal law, rule, or regulation, prior to granting final permit approval by the State. [L 2013, c 264, §§1, 5; am L 2016, c 193, §2]

Note

Comprehensive system for asset management of public buildings, facilities, and sites. L 2011, c 54; L 2013, c 110.

Section 3 of Act 151, Session Laws of Hawaii 2011, referred to in subsection (h), was amended by section 3 of Act 264, Session Laws of Hawaii 2013.

"[PART VIII. HAWAII PERFORMANCE
PARTNERSHIPS BOARD]"

[\$27-51] Hawaii performance partnerships board; establishment. (a) There is established within the office of the governor, on a special and temporary basis, the Hawaii performance partnerships board.

(b) The board shall consist of the following nine members who shall be appointed by the governor in accordance with section 26-34:

- (1) Three members representing business;
- (2) Three members representing philanthropy; and
- (3) Three members representing government.

(c) Members shall serve for five-year terms, except for appointed state officials, who shall serve for the length of their appointments.

(d) The members of the board shall serve without compensation and without reimbursement for expenses, including travel expenses.

(e) The governor shall designate a chairperson from among the members of the board. [L 1999, c 160, §13]

" **[\$27-52] Duties of the board.** The board shall:

- (1) Propose key community outcomes of well-being for the residents of the State to the legislature, and report to the legislature and the citizens of Hawaii on progress in attaining the outcomes adopted by the legislature;
- (2) Execute an agreement between the federal government, the state executive branch, and representatives of philanthropy and community service organizations to encourage intergovernmental partnerships with federal agencies and state, county, and community organizations for the purpose of measuring results in exchange for fiscal and regulatory flexibility in achieved shared goals;
- (3) Increase the use of performance measurement initiatives in each state agency through the governor's cabinet; and
- (4) Increase the number of performance partnerships between federal, state, county, and community-based

agencies through the governor's cabinet. [L 1999, c 160, §14]

" **[§27-53] Annual report.** The board shall prepare an annual report on progress towards key community outcomes adopted by the legislature, which shall be transmitted to the governor, the legislature, and the public. [L 1999, c 160, §15]

" **[§27-54] Data collection relating to the well-being of Hawaii's children and families.** (a) The Hawaii performance partnerships board with the assistance of the center on the family at the University of Hawaii at Manoa, shall establish key indicators and data sets relevant to the health, education, and socioeconomic well-being of Hawaii's children and families.

(b) The Hawaii performance partnerships board may request and shall receive from every department, division, board, bureau, commission, or other agency of the State and its political subdivisions, cooperation and assistance in the performance of its duties relating to results and performance accountability, decision-making, and budgeting. [L 2001, c 274, §1]

Revision Note

Section was enacted as an addition to chapter 304 but is renumbered to this chapter pursuant to §23G-15.

Cross References

Departmental data sharing (improving educational and workforce outcomes), see §27-7.