

ACT 292

S.B. NO. 2838

A Bill for an Act Relating to the State Internet Portal.

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1. Findings and purpose.** The legislature finds that the expansion of the Internet has fundamentally transformed society and the conduct of business. In order to better serve citizens and businesses in the new economy, government must expand access to information and provide government services over the Internet, while ensuring Internet access points for everyone in order to reduce the “digital divide”.

The State has entered into a contract with a vendor to establish, develop, operate, maintain, and expand an Internet portal for the purpose of increasing electronic access and commerce among Hawaii residents, businesses, and government entities. At no cost to the State, the portal manager will provide all necessary hardware, software, portal infrastructure, administration, operation, systems analysis, programming, delivery of services, training, marketing, collection and distribution of payments, and a help desk. With a portal manager in place, additional electronic government applications should be made available on a regular basis, with the state library system providing primary access for citizens seeking Internet access. In addition, electronic government services should be expanded through partnerships with entities such as the University of Hawaii and the department of education.

All statutory fees collected by the portal manager on behalf of a government agency will be remitted in full to the government agency. All charges for value added electronic services will be retained by the portal manager to pay for the core and ongoing costs of operating the portal as well as applications development costs associated with the deployment of standard and premium services.

The purpose of this Act is (1) to establish a mechanism for oversight of the portal manager and authorize the setting of charges for value added electronic services that will be collected by the portal manager; and (2) assist the public library system in providing access to the Internet portal.

**SECTION 2. Definitions.** As used in this Act, unless the context otherwise requires:

“Committee” means the Access Hawaii Committee.

“Government agency” means any government agency that stores, gathers, or generates public information, including all branches of government, all executive departments, boards, and commissions of the State or counties, and all public corporations created by the legislature.

“Internet” means the global information system that is logically linked together by a globally unique address space based on the Internet Protocol (IP), or its subsequent extensions; and that is able to support communications using the Transmission Control Protocol/Internet Protocol (TCP/IP) suite, or its subsequent extensions, or other IP-compatible protocols; and that provides, uses, or makes accessible, either publicly or privately, information to users.

“Internet portal” means the centralized electronic information system by which public information is provided via dial-in modem or continuous link to the public through subscription or through public libraries.

“Portal manager” means the entity or person engaged to manage and operate the Internet portal on behalf of the State of Hawaii.

“Value added electronic services” means services including, but not limited to:

- (1) Providing periodic, continual, and ongoing access to information maintained by a government agency without requiring separate requests for information as it is created;
- (2) Compiling data or performing other research services;
- (3) Permitting the electronic filing of reports, renewals, or applications; or
- (4) The ability to transact business over the Internet portal.

**SECTION 3.** Any statute to the contrary notwithstanding, government agencies may charge for value added electronic services provided through the portal manager.

**SECTION 4. Access Hawaii committee; establishment; membership; chairperson.** (a) There is established within the office of the governor, on a special and temporary basis, the Access Hawaii Committee, until June 30, 2003, at which time the committee shall cease to exist.

(b) The committee shall consist of not more than eleven voting ex officio members, or their designated representatives, as follows:

- (1) The governor’s special advisor for technology development;
- (2) The administrator of the information and communication services division in the department of accounting and general services;
- (3) The administrator of the state procurement office;
- (4) The director of the office of information practices;
- (5) The directors of not more than three government agencies using or planning to use the services of the portal manager; and
- (6) The chief information officers of the four counties.

(c) The governor’s special advisor for technology development shall serve as the chairperson of the committee.

**SECTION 5. Duties of the committee.** (a) The committee shall provide oversight of the portal manager including:

- (1) Review of the annual strategic plan and periodic reports on potential new applications and services submitted by the portal manager;
- (2) Review and approval of all charges to portal users;
- (3) Review and approval of service level agreements negotiated by government agencies with the portal manager;
- (4) Review of annual financial reports and audit of the portal manager;
- (5) Review of annual customer satisfaction surveys conducted by the portal manager; and
- (6) Review of performance measures of the portal submitted as part of the service management plan for portal-wide indicators and application specific indicators.

(b) The committee shall assist the Hawaii state public library system in providing access to the Internet portal and advice on the following:

- (1) Being an avenue for distribution of access for the public to the Internet for purposes of education and information;
- (2) Installing Internet access computers, routers, and lines; and
- (3) Providing Internet training in at least half of the public libraries.

(c) In the event of a conflict with chapter 92F, the provisions of chapter 92F shall control questions of interpretation.

**SECTION 6. Annual report.** The committee shall submit an annual report on the operations of the portal and assistance provided to the Hawaii state public library system to the legislature no later than twenty days prior to the convening of each regular legislative session.

**SECTION 7.** There is appropriated out of the general revenues of the State of Hawaii the sum of \$250,000, or so much thereof as may be necessary for fiscal year 2000-2001, to provide funding for the Hawaii state public library system for Internet access computers and connections, digitalization equipment, and Internet kiosks to provide the general public greater access to information on the Internet.

**SECTION 8.** The sum appropriated shall be expended by the Hawaii state public library system for the purposes of this Act.

**SECTION 9.** This Act shall take effect upon its approval.

(Approved June 30, 2000.)