

A Bill for an Act Relating to the Federal Surplus Property Program.

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

SECTION 1. Section 29-18, Hawaii Revised Statutes, is amended to read:

“Sec. 29-18 Authority and duties of the agency. The agency may:

- (!) Acquire from the United States under and in conformance with section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, hereinafter referred to as the “Federal Act,” any personal property under the control of any executive agency of the United States which has been determined to be surplus property under the Federal Act; warehouse the property; and distribute the property within the State to the eligible recipients, as set forth in the Federal Act;

- (2) Receive applications from eligible health and educational institutions for the acquisition of federal surplus real property, investigate, review, make recommendations and otherwise assist, supervise and direct the processing of such applications for acquisition of real and related personal property of the United States under section 203(k) of the Federal Act;
- (3) Adopt, amend, or rescind such rules and regulations and prescribe such requirements as it may deem necessary and take such other action to assure maximum utilization by applicants of benefits hereunder;
- (4) Appoint advisory boards or committees;
- (5) Take such action including making certifications, expenditures, contracts, agreements, and other undertakings, necessary in connection with the disposal of real and personal property hereunder;
- (6) Act as clearing house of information for the eligible recipients referred to in paragraph (1) of this section and other public and private non-profit institutions, organizations, and agencies eligible to acquire federal surplus real property, locate both real and personal property available for acquisition from the United States, ascertain the terms and conditions under which the property may be obtained, receive requests from the above mentioned eligible recipients, institutions, organizations, and agencies, and transmit to them all available information in reference to the property, and aid and assist the eligible recipients, institutions, organizations, and agencies in every way possible in the consummation of acquisitions or transactions hereunder;
- (7) And shall cooperate to the fullest extent, consistent with the provisions of the Federal Act, with the departments or agencies of the United States, shall file a state plan of operation, operate in accordance therewith, and take such action as may be necessary to meet the minimum standards prescribed in the Federal Act, shall make such reports as the United States may from time to time require, and shall comply with the laws, rules, and regulations of the United States governing the allocation, transfer, use, or accounting for property donated or to be donated to the State;
- (8) Purchase from any other state or states the services of the agency or agencies responsible in the state or states for the distribution of surplus property and to sell to any other state or states the services of the department of accounting and general services for the purpose of assuring and promoting effective administration of this chapter and of the surplus property program; the purchase or sale of services shall be made on a fee-for-service or other equitable and reasonable basis; provided that the fee or other basis of payment for services purchased or sold shall be so computed as to include therein the costs of salaries, travel, supplies, and equipment and any other item properly related to the cost of the service;
- (9) Make such certifications, take such action, make such expenditures, and enter into such contracts, agreements, and undertakings for and in the name of the State (including cooperative agreements with any

federal agencies providing for utilization by and exchange between them of the property, facilities, personnel, and services of each by the other), require such reports and make such investigations as the agency may deem necessary or proper for the administration of this part, or as may be required by law or regulation of the United States in connection with the disposal of real property and the receipt, warehousing, and distribution of personal property received by the agency from the United States.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 18, 1978.)

*Edited accordingly.