

ACT 126

S.B. NO. 1806

A Bill for an Act Relating to the State Government Functions.

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

SECTION 1. Section 26-6, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

- “(b) The department shall [preaudit];
- (1) Preaudit and conduct after-the-fact audits of the financial accounts of all state departments to determine the legality of expenditures and the accuracy of accounts; [report]
 - (2) Report to the governor and to each regular session of the legislature as to the finances of each department of the [State; administer] state;
 - (3) Administer the state risk management program; [establish]
 - (4) Establish and manage motor pools; [manage]
 - (5) Manage the preservation and disposal of all records of the [State; undertake] state;
 - (6) Undertake the program of centralized engineering and office leasing services, including operation and maintenance of public buildings, for departments of the [State; undertake] state;
 - (7) Undertake the functions of the state surveyor; [and establish, analyze, and enforce];
 - (8) Establish accounting and internal control systems[.];
 - (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; and
 - (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 its overall plans for establishing a communication backbone for state government.

The state communication system shall be established to:

- (1) Facilitate implementation of the state's distributed information processing and information resource management plans;
- (2) Improve data, voice, and video communications in state government;
- (3) Provide a means for connectivity among the state, university, and county computer systems; and
- (4) Provide a long-term means for public access to public information.

(c) The department may adopt rules as may be necessary or desirable for the operation and maintenance of public buildings'[,], and for the operation and implementation of a program to provide a means for public access to the state's information network system and public information. The rules shall be adopted pursuant to chapter 91."

SECTION 2. Section 26-8, Hawaii Revised Statutes, is amended to read as follows:

"§26-8 Department of budget and finance. (a) The department of budget and finance shall be headed by a single executive to be known as the director of finance.

(b) The department shall [undertake]:

- (1) Undertake the preparation and execution of the executive budget of the state government; [conduct]
- (2) Conduct a systematic and continuous review of the finances, organization, and methods of each department of the State to assist each department in achieving the most effective expenditure of all public funds and to determine that such expenditures are in accordance with the budget laws and controls in force; [have]
- (3) Have custody of state funds and be responsible for the safekeeping, management, investment, and disbursement thereof; and [administer]
- (4) Administer state debts.

[The department of budget and finance shall develop and operate an information network in conjunction with its overall plans for establishing a communication backbone for state government. The state communication system shall be established to facilitate implementation of the State's distributed information processing and information resource management plans; improve data, voice, and video communications in state government; provide a means for connectivity among the state, university, and county computer systems; and provide a long-term means for public access to public information.]

(c) The functions and authority heretofore exercised by the bureau of the budget (except for insurance management, surplus property management, and central purchasing transferred to the department of accounting and general services) and the funds custody, cash management, debt management, and administering of veterans loan functions of the treasurer as heretofore constituted are transferred to the department of budget and finance established by this chapter.

(d) The employees retirement system as constituted by chapter 88 is placed within the department of budget and finance for administrative purposes. The functions, duties, and powers, subject to the administrative control of the director of finance, and the composition of the board of trustees of the employees retirement system shall be as heretofore provided by law.

The public utilities commission is placed within the department of budget and finance for administrative purposes only.

The housing finance and development corporation is placed within the department of budget and finance for administrative purposes only.

The rental housing trust fund established under chapter 201F, is placed within the department of budget and finance for administrative purposes only."

SECTION 3. All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, subject to state personnel laws and this Act.

No officer or employee of the State having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

All appropriate records, appropriations, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the department of budget and finance or the department of accounting and general services relating to functions being transferred shall be transferred with the functions to which they relate; provided that such transfers shall occur no later than June 30, 1996.

SECTION 4. All rules, directives, policies, procedures, guidelines, and other materials adopted or developed by or for the department of budget and finance or the department of accounting and general services to implement provisions of the Hawaii Revised Statutes which are reenacted or made applicable to the department to which the functions are transferred by this Act, shall remain in full force and effect until amended or repealed pursuant to chapter 91, Hawaii Revised Statutes, as applicable. In the interim, every reference to the department or director in those rules, directives, policies, procedures, guidelines, and other material is amended to refer to the department or director to which the functions are transferred by this Act.

SECTION 5. All Acts passed during this regular session of 1995, whether enacted before or after the passage of this Act, shall be amended to conform to this Act.

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 1995; except that the transfer shall not commence until two years after the effective date of this Act.

(Approved June 8, 1995.)

Note

1. Prior to amendment “, including activities conducted in or around the public buildings” appeared here.