
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Section 103D-307, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~§103D-307~~+~~ **Emergency procurements.** (a) The head of
4 a purchasing agency may obtain a good, service, or construction
5 essential to meet an emergency by means other than specified in
6 this chapter when the following conditions exist:

7 (1) A situation of an unusual or compelling urgency
8 creates a threat to life, public health, welfare, or
9 safety by reason of major natural disaster, epidemic,
10 riot, fire, or such other reason as may be determined
11 by the head of that purchasing agency;

12 (2) The emergency condition generates an immediate and
13 serious need for goods, services, or construction that
14 cannot be met through normal procurement methods and
15 the government would be seriously injured if the
16 purchasing agency is not permitted to employ the means
17 it proposes to use to obtain the goods, services, or
18 construction; and



1 (3) Without the needed good, service, or construction, the
 2 continued functioning of government, the preservation
 3 or protection of irreplaceable property, or the health
 4 and safety of any person will be seriously
 5 threatened[-];

6 provided that the head of a purchasing agency may obtain a good,
 7 service, or construction essential to meet an emergency by means
 8 other than specified in this chapter where the emergency
 9 consists of a major equipment breakdown that could result in
 10 wastewater spills or upset the wastewater bypass or treatment
 11 process, which if not corrected immediately would result in
 12 noncompliance with an environmental permit that could result in
 13 a fine of \$25,000 or more per day per occurrence."

14 SECTION 2. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

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

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Josh M. ...
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INTRODUCED BY:

Peypa P. Abinsay, Jr.
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JAN 25 2006

HB2959

Report Title:

Emergency procurement

Description:

Gives wastewater treatment plants access to the emergency procurement process to repair a major equipment breakdown that if not immediately repaired would result in wastewater spills and environmental permit noncompliance that is subject to a \$25,000 fine per occurrence, per day.

