

JAN 16 2008

A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. The legislature finds that in many instances,
2 state entities' chief procurement officers will delegate
3 authority for procurement to an individual within the entity.
4 Many times, this individual is responsible for being familiar
5 with the Hawaii Public Procurement Code and is often requested
6 to advise the agency on matters relating to awarding contracts.

7 The legislature further finds that difficult situations may
8 arise when the delegate is subordinate to the chief procurement
9 officer. This creates the potential for contracts to be awarded
10 in a manner contrary to the State's procurement law. It also
11 potentially places such individuals in situations where they may
12 have to adopt a position contrary to their superior.

13 The purpose of this Act is to eliminate troublesome
14 situations that may arise when a state entity's chief
15 procurement officer delegates procurement authority to a
16 subordinate individual.

17 SECTION 2. Section 103D-208, Hawaii Revised Statutes, is
18 amended to read as follows:



1 "§103D-208 Delegation of authority by the chief
2 procurement officer. (a) Subject to the rules of the policy
3 board, each chief procurement officer may delegate any authority
4 or duty conferred upon the chief procurement officer by this
5 chapter to designees or to any department, agency, or official
6 within [~~their~~] the chief procurement officer's respective
7 [~~jurisdictions.~~] jurisdiction.

8 (b) Whenever a chief procurement officer delegates
9 authority, pursuant to this section, to an individual who is
10 subordinate to the chief procurement officer, the delegation
11 shall be evidenced in writing and filed with the administrator
12 of the state procurement office. Thereafter, the designee shall
13 be answerable to the administrator, and not to the chief
14 procurement officer, with respect to any matter related to
15 procurement for which authority was delegated. This subsection
16 applies to procurements in excess of \$ _____."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.
20

INTRODUCED BY:

Clarence A. [Signature]
Will [Signature]



Report Title:

Procurement

Description:

Requires a delegation of procurement authority in writing and filed with the administrator of the state procurement office. Makes designee answerable to administrator where the designee is in a position subordinate to the chief procurement officer. Applicable to procurement over certain dollar amount.

