

LATE TESTIMONY

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TESTIMONY
OF
RUSS K. SAITO, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
HOUSE COMMITTEE
ON
JUDICIARY
ON
March 28, 2008

S.B. 2825, S.D. 1, H.D. 1

RELATING TO PROCUREMENT

Chair Waters and members of the Committee, thank you for the opportunity to testify on S.B. 2825, S.D. 1, H.D. 1.

The Department of Accounting and General Services (DAGS) opposes this bill because it is unnecessary. There are already provisions in the Procurement Code (Code) that were provided by Act 142 SLH 2007 that call for violators of the Code to be subject to administrative fines or removal from office.

In certain situations, a procurement officer may not agree with a determination by the administrator and may want, in the best interest of the State, to have further discussions about the administrator's interpretation of the Code or associated rules. That process may take longer than 30 days. If, after that period, the administrator stands fast on the determination and the procurement officer decides not to comply, the provisions of Act 142, SLH 2007 will apply and the procurement officer will be subject to fines or removal from office. Given that protection for the citizens, the punishment that this bill

would impose just because a process takes longer than the bill's author would like, is unnecessary and would discourage the kind of dialogue that can improve the application of the Code.

Thank you for the opportunity to testify on this matter.