

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 2842
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 2842 entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY PROCUREMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize emergency procurements in situations such as equipment failure and repairs to public property that are necessary to protect against further loss or damage to public property, or to prevent or minimize serious disruptions in government services. This measure also removes the need for approval of the Chief Procurement Officer for these emergency procurements, provided that an accounting report is submitted to the Legislature within sixty days after the end of the fiscal year in which the emergency procurement was made.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Agriculture, and the Department of Transportation. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the proposed language of this measure aligns with and expands the current emergency procurement statute to add situations of an unusual or compelling urgency such that without the continued government service, there would be a



threat to life, public health, welfare, and/or safety. This measure also allows greater flexibility and efficiency for the appropriate department or agency to directly address the need, determine and perform appropriate action, and close out financial obligations to restore the conditions of the property or operation against further loss, damage, or serious disruptions in essential government services.

Your Committee has amended this measure by:

- (1) Defining situations where emergency procurement is necessary, such as equipment failure and repairs to public property, and more specifically, as recommended by the Department of Accounting and General Services, as situations of significant impact to ensure public access caused by any unexpected major national disaster, epidemic, riot, or fire, or to minimize serious disruption in government functioning;
- (2) Requiring a report to the Legislature to be submitted within sixty days of the event for which the procurement was made;
- (3) Including the procurement of emergency construction, in addition to goods and services allowed in section 103D-102(b)(4), Hawaii Revised Statutes, as suggested by the State Procurement Office;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2842, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2842, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,

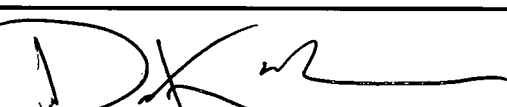


LAURA H. THIELEN, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* SB2842	Committee Referral: GVO, WAM	Date: 1/30/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
INOUYE, Lorraine R. (VC)				✓
BAKER, Rosalyn H.	✓			
KANUHA, Dru Mamo	✓			✓
FEVELLA, Kurt	✓			✓
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes