
A BILL FOR AN ACT

RELATING TO THE STATE PROCUREMENT POLICY BOARD.

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

1 SECTION 1. The legislature finds that boards and
2 commissions provide an opportunity for citizens to have a voice
3 in government and provide a means to influence decisions that
4 shape the quality of life for the residents of the State.

5 However, vacancies on these boards and commissions pose
6 challenges for some agencies in fulfilling their duties.

7 The state procurement policy board is one example of
8 vacancies hampering state processes. The board was formed to
9 adopt, amend, or repeal administrative rules to carry out and
10 effectuate the purpose and provisions of chapter 103D, Hawaii
11 Revised Statutes, known as the Hawaii public procurement code,
12 which governs the State's procurement, management, control, and
13 disposal of any and all goods, services, and construction, and
14 chapter 103F, which governs the State's purchase of health and
15 human services. Other duties of the board are to consider and
16 decide matters of policy, including those referred by a chief
17 procurement officer, audit and monitor the implementation of its



1 rules and the requirements of applicable statutes, and consider
2 applicants for the position of the state procurement
3 administrator. Unfortunately, because of vacancies on the
4 board, vital tasks are left pending.

5 The purpose of this Act is to:

- 6 (1) Repeal the policy board nominating committee;
7 (2) Require the governor to appoint four members to the
8 state procurement policy board;
9 (3) Require the president of the senate to appoint one
10 member to the state procurement policy board; and
11 (4) Require the speaker of the house of representatives to
12 appoint one member to the state procurement policy
13 board.

14 SECTION 2. Section 103D-201, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) The policy board shall consist of seven members.

17 Notwithstanding the limitations of section 78-4, the members of
18 the board shall include:

19 (1) The comptroller;

20 ~~[(2) A county employee with significant high level~~
21 ~~procurement experience; and~~



~~(3) Five persons who shall not otherwise be full-time employees of the State or any county;]~~

(2) Four members appointed by the governor;

(3) One member appointed by the president of the senate;
and

(4) One member appointed by the speaker of the house of representatives;

provided that at least one member shall be a certified professional in the field of procurement, at least one member shall have significant high-level, federal procurement experience, and at least two members shall have significant experience in the field of health and human services[-];
provided further that one member shall be a county employee with significant high level procurement experience and the remaining six members shall not otherwise be full-time employees of the State or any county. Each appointed member shall have demonstrated sufficient business or professional experience to discharge the functions of the policy board. ~~[The initial and subsequent members of the policy board, other than the comptroller, shall be appointed by the governor from a list of three individuals for each vacant position, submitted by a~~



1 ~~nominating committee composed of four individuals chosen as~~
2 ~~follows: two persons appointed by the governor; one person~~
3 ~~appointed by the president of the senate; and one person~~
4 ~~appointed by the speaker of the house.]~~ Except as provided in
5 this section, the selection and terms of the policy board
6 members shall be subject to the requirements of section 26-34.
7 No member of the policy board shall act concurrently as a chief
8 procurement officer. The members of the policy board shall
9 devote such time to their duties as may be necessary for the
10 proper discharge thereof."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 30, 2075.



Report Title:

Procurement; State Procurement Policy Board Membership

Description:

Repeals the Procurement Policy Board Nominating Committee.
Requires the Governor to appoint four members to the State
Procurement Policy Board. Requires the President of the Senate
to appoint one member to the State Procurement Policy Board.
Requires the Speaker of the House of Representatives to appoint
one member to the State Procurement Policy Board. Takes effect
7/30/2075. (SD2)

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