

STAND. COM. REP. NO. 4

Honolulu, Hawaii

OCT 29 2007

RE: GOV. MSG. NOS. 102,
103, 104, 105

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Second Special Session of 2007
State of Hawaii

Madam:

Your Committee on Tourism and Government Operations, to which was referred Governor's Message Nos. 102, 103, 104, and 105, submitting for study and consideration the nominations of:

PROCUREMENT POLICY BOARD

G.M. No. 102	DARRYL WAYNE BARDUSCH, for a term to expire 6-30-2008;
G.M. No. 103	DARRYL WAYNE BARDUSCH, for a term to expire 6-30-2012;
G.M. No. 104	KEITH T. MATSUMOTO, for a term to expire 6-30-2011; and
G.M. No. 105	PAMELA A. TORRES, CPCM, for a term to expire 6-30-2010,

begs leave to report as follows:

Your Committee received testimony in support of Darryl Wayne Bardusch from the Department of Accounting and General Services; U.S. Army Contracting Agency Element, Pacific; and three individuals.

Mr. Bardusch has been employed since 1987 as a contract attorney with the U.S. Army Garrison, Hawaii. He received an A.B. degree in Political Science from the University of Illinois; a Juris Doctorate degree from Southern Illinois University; and an L.L.M. in Taxation from the Washington University School of Law.

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The nominee has completed numerous procurement law courses at the Judge Advocate General's School. From 1983 to 1987 he was a Judge Advocate officer serving as a contract attorney for the Aviation Systems Command. Mr. Bardusch is a member of the bars of Illinois and Missouri.

Mr. Bardusch stated to your Committee that he would assist the State Procurement Office in establishing policy. Such policy should implement procedures that conform with the statutes. He is concerned about public perception of fairness when implementing the Hawaii public procurement code. He believes more checks and balances are needed in procurement procedures so that different people are responsible for different responsibilities along the purchasing chain, like the federal government.

Your Committee received testimony in support of Keith T. Matsumoto from the Department of Accounting and General Services; Cellular Bioengineering, Inc.; The Research Corporation of the University of Hawaii; and one individual.

Mr. Matsumoto is employed as a consultant with the Hawaii Technology Development Venture which provides assistance to the Office of Naval Research Program Manager and the contracting and administrative staff. He received a Bachelor of Science in Engineering from the University of Pennsylvania, and a Masters of Business Administration from the University of Michigan. He has worked as the Chief Operating Officer and Chief Financial Officer for Alu Like Enterprises, Inc. (2005-2006); Executive Contracts Specialist and Chief Projects Executive, and Acting Chief Capital Projects Officer for the Honolulu Board of Water Supply (2004-2005); Vice President and Program Manager for the Pacific Technology Applications Corporation, a subsidiary of the Pacific International Center for High Technology Research (1997 to present); and Vice President and Chief Operating Officer and Treasurer for the Pacific International Center for High Technology Research (1995-2001).

Mr. Matsumoto has been actively involved in numerous professional associations and volunteer community organizations.

Mr. Matsumoto testified that he seeks to develop and implement a "State Certified Procurement Specialist" program which would include procurement education and training. The training would ideally be mandatory for chief procurement officers who would be required to attend in order to obtain certification.



Staff persons under the chief procurement officer would also receive mandatory training. His interest in serving on the Policy Procurement Board is to support a strong, clear, fair, and consistent procurement system to ensure the best value is obtained for goods and services for the people of the State.

Your Committee received testimony in support of Pamela A. Torres from the Department of Accounting and General Services and one individual.

Ms. Torres is the Owner and President of Federal Contract Solutions, a consulting company that provides guidance to contractors and the government. She received a BA degree in Business Management from Chaminade University and a Masters of Business Management from the University of Phoenix. The nominee has attained a DoD Level III Certification, Secret Clearance, and a Certified Professional Contracts Manager (CPCM) designation. She has served as President of the National Contract Management Association Aloha Chapter. Ms. Torres has over twenty years experience in federal contracting with broad and varied contract experience in the award and administration of complex, multi-million dollar information technology contracts.

Ms. Torres testified that she believes that fairness is the heart of procurement. She believes her qualities are integrity, breadth and depth of procurement experience, and the ability to see things from a fresh perspective and to communicate her vision to others.

Your Committee has serious concerns about the proper functioning of the Procurement Policy Board, specifically in the areas of oversight of procurement practice, adoption of administrative fines, and making audits and monitoring the implementation of rules. Your Committee notes that all the nominees, when queried about whether they would be willing to discuss procurement issues and practices with the Chair and Vice Chair of your Committee, responded in the affirmative.

As affirmed by the records of votes of the members of your Committee on Tourism and Government Operations that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.




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



CLARENCE K. NISHIHARA, Chair

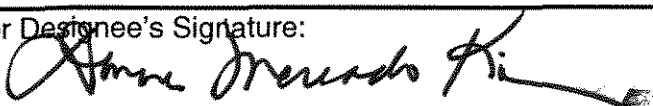


Record of Votes
Committee on Tourism and Government Operations
TSG
Advise and Consent

Governor's Message No.:* GM 102	Committee Referral: TSG	Date: 10-25-07		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340	<input type="checkbox"/> Not Advise and Consent 2345			
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	/			
KIM, Donna Mercado (VC)	/			
TSUTSUI, Shan S.	/			
TRIMBLE, Gordon	/			
TOTAL				
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	

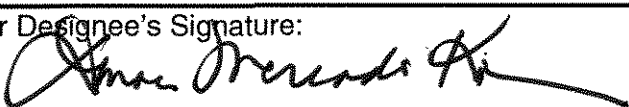
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Record of Votes
Committee on Tourism and Government Operations
TSG
Advise and Consent

Governor's Message No.:* GM 103	Committee Referral: TSG	Date: 10-25-07		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	/			
KIM, Donna Mercado (VC)	/			
TSUTSUI, Shan S.	/			
TRIMBLE, Gordon	/			
TOTAL				
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				

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Record of Votes
Committee on Tourism and Government Operations
TSG
Advise and Consent

Governor's Message No.:* GM 105	Committee Referral: TSG	Date: 10-25-07		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	/			
KIM, Donna Mercado (VC)	/			
TSUTSUI, Shan S.	/			
TRIMBLE, Gordon	/			
TOTAL				
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one Governor's Message per Record of Votes