
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Section 103D-307, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The head of a purchasing agency may obtain a good,
4 service, or construction essential to meet an emergency by means
5 other than specified in this chapter when the following
6 conditions exist:

7 (1) A situation of an unusual or compelling urgency
8 creates a threat to life, public health, welfare, or
9 safety by reason of major natural disaster, epidemic,
10 riot, fire, or such other reason as may be determined
11 by the head of that purchasing agency;

12 (2) The emergency condition generates an immediate and
13 serious need for goods, services, or construction that
14 cannot be met through normal procurement methods and
15 the government would be seriously injured if the
16 purchasing agency is not permitted to employ the means
17 it proposes to use to obtain the goods, services, or
18 construction; and



1 (3) Without the needed good, service, or construction, the
 2 continued functioning of government, the preservation
 3 or protection of irreplaceable property, or the health
 4 and safety of any person will be seriously
 5 threatened[-];

6 provided that the head of a purchasing agency may obtain any
 7 goods, services, or construction essential to meet an emergency
 8 by means other than specified in this chapter where the
 9 emergency consists of a major equipment breakdown that could
 10 result in wastewater spills or upset the wastewater bypass or
 11 treatment process, which if not corrected immediately would
 12 result in noncompliance with an environmental permit that could
 13 result in a fine of \$25,000 or more per day per occurrence."

14 SECTION 2. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.
 17

INTRODUCED BY:

Cindy Evans

 JAN 17 2007



Report Title:

Emergency procurement

Description:

Gives wastewater treatment plants access to the emergency procurement process to repair a major equipment breakdown that if not immediately repaired would result in wastewater spills and environmental permit noncompliance that is subject to a \$25,000 fine per occurrence, per day.

