

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2842
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2842, S.D. 1, 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 expedite emergency procurement.

More specifically, the measure:

- (1) Authorizes a procurement code exemption for a construction procurement that is available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State;
- (2) Expands the scope of emergency procurements that can be made by a state or county agency; and
- (3) Replaces the requirement that approval be obtained, when practicable, from an agency's chief procurement officer prior to an emergency procurement to instead allow a subsequent report to the Legislature on the procurement.

Your Committee received written comments in support of this measure from the Department of Transportation, Department of



Accounting and General Services, and Hawaii State Public Library System.

Your Committee received written comments in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee received written comments on this measure from the State Procurement Office.

Your Committee finds that this measure will enable agencies to promptly and appropriately respond to, and rectify, a wider range of emergency situations and thereby minimize further risks, liabilities, and costs to operations and the public.

Your Committee has amended this measure by:

- (1) Clarifying that the procurement code exemption for a construction procurement includes any other procurement for goods, services, or construction that the Procurement Policy Board or the Chief Procurement Officer determines is available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2842, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2842, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2842, SD1	Committee Referral: GVD, WAM	Date: 2/28/20																		
<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																
DELA CRUZ, Donovan M. (C)	X																			
KEITH-AGARAN, Gilbert S.C. (VC)	X																			
ENGLISH, J. Kalani	X																			
HARIMOTO, Breene	X																			
INOUE, Lorraine R.	X																			
KAHELE, Kaiali'i	X																			
KANUHA, Dru Mamo	X																			
KIDANI, Michelle N.	X																			
MORIWAKI, Sharon Y.	X																			
RIVIERE, Gil				X																
SHIMABUKURO, Maile S.L.				X																
TANIGUCHI, Brian T.	X																			
FEVELLA, Kurt	X																			
TOTAL	11			2																
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted																				
Chair's or Designee's Signature: 																				
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*Only one measure per Record of Votes