
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 legislature further finds that the state procurement
8 policy board is one example of vacancies hampering state
9 processes. The board was formed to adopt, amend, or repeal
10 administrative rules to carry out and effectuate the purpose and
11 provisions of the Hawaii public procurement code, which governs
12 the State's procurement, management, control, and disposal of
13 any and all goods, services, and construction, and the law
14 governing the State's purchase of health and human services.

15 Other duties of the board are to consider and decide matters of
16 policy, including those referred by a chief procurement officer;
17 audit and monitor the implementation of its rules and the



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

5 The purpose of this Act is to:

- 6 (1) Decrease the number of members on the state
7 procurement policy board from seven to five;
8 (2) Amend the appointment and experience requirements for
9 members of the state procurement policy board; and
10 (3) Repeal the state procurement policy board nominating
11 committee.

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

14 "(b) The policy board shall consist of [~~seven~~] five
15 members. Notwithstanding the limitations of section 78-4, the
16 members of the board shall include:

- 17 (1) The comptroller;

18 [~~(2) A county employee with significant high-level~~
19 ~~procurement experience; and~~

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



1 (2) Two members appointed by the governor; provided that
2 one member shall have significant high-level
3 construction experience;

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

6 (4) One member appointed by the speaker of the house of
7 representatives.

8 ~~[provided that at least one member shall be a certified~~
9 ~~professional in the field of procurement, at least one member~~
10 ~~shall have significant high-level, federal procurement~~
11 ~~experience, and at least two members shall have significant~~
12 ~~experience in the field of health and human services.] Each~~
13 appointed member shall have demonstrated sufficient business or
14 professional experience to discharge the functions of the policy
15 board. ~~[The initial and subsequent members of the policy board,~~
16 ~~other than the comptroller, shall be appointed by the governor~~
17 ~~from a list of three individuals for each vacant position,~~
18 ~~submitted by a nominating committee composed of four individuals~~
19 ~~chosen as follows: two persons appointed by the governor; one~~
20 ~~person appointed by the president of the senate; and one person~~
21 ~~appointed by the speaker of the house.] Except as provided in~~



1 this section, [~~the selection and terms of~~] the policy board
2 members shall be subject to the requirements of section 26-34.
3 No member of the policy board shall act concurrently as a chief
4 procurement officer. The members of the policy board shall
5 devote such time to their duties as may be necessary for the
6 proper discharge thereof."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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



S.B. NO. 2383 S.D. 2 H.D. 2

Report Title:

State Procurement Policy Board; Membership; Composition;
Nominating Committee

Description:

Decreases the number of members on the state procurement policy board from seven to five. Amends the appointment and experience requirements for members. Repeals the state procurement policy board nominating committee. Effective 7/30/2075. (HD2)

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