
A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.

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

1 SECTION 1. The legislature finds that state and county
2 agencies charged with natural resource management are
3 underfunded, understaffed, and unable to fully address
4 management, restoration, and climate resiliency needs associated
5 with the State's stressed natural resources, and in particular,
6 the State's watersheds and nearshore waters. The inability to
7 adequately manage those resources jeopardizes the State's food
8 and water security.

9 The legislature recognizes that article 11, section 1, of
10 the Hawaii State Constitution provides:

11 For the benefit of present and future
12 generations, the State and its political subdivisions
13 shall conserve and protect Hawaii's natural beauty and
14 all natural resources, including land, water, air,
15 minerals and energy sources, and shall promote the
16 development and utilization of these resources in a



1 manner consistent with their conservation and in
2 furtherance of the self-sufficiency of the State.

3 All public natural resources are held in trust by
4 the State for the benefit of the people.

5 The legislature further finds that the State has not
6 successfully developed collaborative public-private partnerships
7 or governmental practices that increase the capacity urgently
8 needed to fulfill the State's natural resource stewardship
9 mandate. Collaborative approaches to natural resource
10 management that embrace community non-profits and their related
11 networks have proven to be effective in their capacity to
12 restore watersheds, increase food supplies, address systemic
13 inequities, develop green jobs, and enhance the State's economy.

14 The legislature acknowledges that collaborative networks
15 are eligible to pursue significant federal funding streams,
16 including grants through the department of land and natural
17 resources and United States Fish and Wildlife Service National
18 Coastal Wetlands Conservation Grant Program. However, the
19 legislature also finds that there have been instances where non-
20 profits have been informed that the state procurement system did



1 not allow for the distribution of funds to non-profits, even
2 though the grant had been approved.

3 The legislature finds that the state procurement system is
4 outdated, with limited options for providing funds to non-profit
5 organizations collaborating with governmental agencies on
6 projects, including those projects mandated by the Hawaii State
7 Constitution to meet the State's natural resource management
8 responsibilities.

9 The purpose of this Act is to convene a working group
10 within the department of accounting and general services to
11 study and recommend improvements to the management of the state
12 procurement office and methods of procurement, particularly in
13 the area of natural resource management.

14 SECTION 2. (a) There is established a working group
15 within the department of accounting and general services for
16 administrative purposes. The working group shall consist of the
17 following members:

- 18 (1) The state comptroller or the comptroller's designee,
19 who shall serve as the chairperson of the working
20 group;



- 1 (2) The administrator of the state procurement office or
- 2 the administrator's designee;
- 3 (3) The chairperson of the state procurement policy board;
- 4 (4) The chairperson of the board of land and natural
- 5 resources or the chairperson's designee;
- 6 (5) The attorney general or the attorney general's
- 7 designee; and
- 8 (6) A member of the commission on water resource
- 9 management, excluding its chairperson, to be selected
- 10 by the commission.
- 11 (b) The working group shall also invite:
- 12 (1) A member of the non-profit community with a specialty
- 13 in natural resource management, designated by the
- 14 chairperson of the board of land and natural
- 15 resources; and
- 16 (2) Any other entity, agency, or designee deemed
- 17 appropriate by the members of the working group.
- 18 (c) The working group shall serve until it has
- 19 accomplished the objectives of this Act or twenty days prior to
- 20 the convening of the regular session of 2023, whichever occurs
- 21 first.



1 (d) The working group shall investigate improvements to
2 the management of the state procurement office and methods of
3 procurement, particularly in the area of natural resource
4 management. The investigation shall also include but not be
5 limited to an examination of the following:

6 (1) Ways to enhance procurement practices and policies
7 that include collaboration with non-profit
8 organizations with expertise and experience in natural
9 resource management;

10 (2) Ways to reduce timeframes for review of proposals
11 targeting natural resource management, including water
12 restoration, food security, and climate resiliency;

13 (3) Changes necessary in Hawaii law to streamline these
14 processes while maintaining high standards of ethical
15 procurement;

16 (4) Expected benefits, financial or otherwise, that may
17 accrue to the State, as a result of such policy and
18 practice changes;

19 (5) Identification and separation of pertinent issues for
20 purposes of drafting statutes and rules; and



1 (6) Any other objective deemed necessary by the state
2 comptroller or the comptroller's designee, or the
3 working group.

4 SECTION 3. The state comptroller or the comptroller's
5 designee, in consultation with the working group, shall submit a
6 report to the legislature, including findings, recommendations,
7 and proposed legislation no later than twenty days prior to the
8 convening of the regular session of 2023.

9 SECTION 4. This Act shall take effect upon its approval.

10

INTRODUCED BY: 
JAN 26 2022



H.B. NO. 2349

Report Title:

Hawaii Public Procurement Code; Working Group; Natural Resource Management; Report

Description:

Establishes a working group within the department of accounting and general services to study and recommend to the legislature improvements to the management of the state procurement office and methods of procurement, particularly in the area of natural resource management. Requires a report prior to the convening of the regular session of 2023.

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