

STAND. COM. REP. NO.

973

Honolulu, Hawaii

**MAR 05 2021**

RE: S.B. No. 1207  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 1207, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to provide government agencies with additional flexibility to conduct procurements during emergency situations.

More specifically, this measure:

- (1) Authorizes the head of a purchasing agency to obtain emergency procurements to address equipment failures; make repairs to public property to protect against further loss of or damage to public property; and to prevent or minimize serious disruption in the continued functioning of government services;
- (2) Removes the requirement that an emergency procurement receive prior approval from the chief procurement officer; and
- (3) Requires a head of a purchasing agency to submit a report accounting for the emergency procurement to the chief procurement officer and the Legislature within



sixty days of the end of the fiscal year in which the procurement was made.

Your Committees received written comments in support of this measure from the Department of Accounting and General Services.

Your Committees received written comments in opposition to this measure from the Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund.

Your Committees find that this measure will allow government agencies to procure necessary goods, services, and construction more quickly and efficiently for smaller and more localized emergency situations. Your Committees further find that this will help vital facilities to keep operating and allow essential government services to continue to be delivered to the public with less disruption.

Your Committees have amended this measure by:

- (1) Clarifying that a head of a purchasing agency may make an emergency procurement when a situation creates a threat to life, public health, welfare, public property, serious disruption to government services, or safety, including a situation caused by equipment failure;
- (2) Correcting the text of section 103D-307, Hawaii Revised Statutes, to accurately reflect the printed version of the Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making a technical nonsubstantive change for the purpose of style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1207, S.D. 1, as amended herein, and recommend



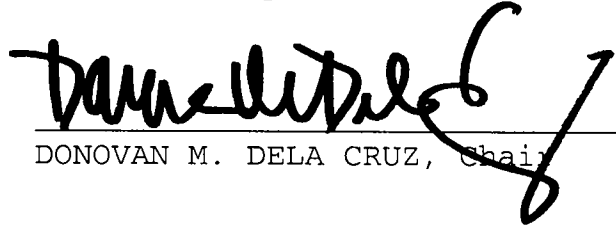
that it pass Third Reading in the form attached hereto as S.B.  
No. 1207, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Ways and Means  
and Judiciary,



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KARL RHOADS, Chair



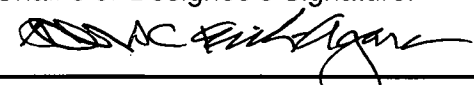
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DONOVAN M. DELA CRUZ, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1207, SD 1	GVO, WAM/JDC	3/3/21		
<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			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	11			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes

