

STAND. COM. REP. NO.

727

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1929
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1929, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to allow the Chief Procurement Officer to assess administrative fines for noncompliance with the Hawaii Public Procurement Code.

The measure further provides that the amount of the fine shall be set by rules adopted by the State Procurement Policy Board.

The State Procurement Office submitted comments in support of this measure. The Department of Accounting and General Services submitted comments on this measure.

Your Committee finds that the existing law is lacking in a provision for administrative fines for noncompliance with procurement laws. Although criminal penalties exist, there are no administrative sanctions for those whose actions fall short of criminal prosecution. The measure will help to ensure compliance with the procurement code.

Your Committee has amended this measure by:



- (1) Clarifying that an administrative fine may be levied against a person *after* the person has been found to have violated the procurement laws; and,
- (2) Making technical non-substantive amendments for clarity 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. 1929, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1929, S.D. 2.

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

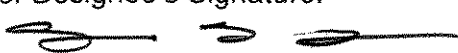


ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB1929 SD1	Committee Referral: TSG, WAM	Date: 2-22-07
<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 <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit <small>2312 2311 2310 2313</small>		
Members	Aye	Aye (WR)
Nay	Excused	
BAKER, Rosalyn H. (C)	/	
TSUTSUI, Shan S. (VC)	/	
CHUN OAKLAND, Suzanne	/	
ENGLISH, J. Kalani	/	
FUKUNAGA, Carol	/	
HOOSER, Gary L.	/	
KIM, Donna Mercado		/
MENOR, Ron	/	
TOKUDA, Jill N.	/	
HEMMINGS, Fred		/
WHALEN, Paul	/	
TOTAL	9	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution:	Original File with Committee Report	Yellow Clerk's Office
		Pink Drafting Agency

*Only one measure per Record of Votes