
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Chapter 103D, Hawaii Revised Statutes, is
2 amended by adding a new section to part X to be appropriately
3 designated and to read as follows:

4 "§103D- Biobased products. (a) After the date
5 specified by guidelines prepared under subsection (b), state
6 purchasing agencies, in making procurement decisions, shall give
7 preference to the items composed of the highest percentage of
8 biobased products practicable, consistent with maintaining a
9 satisfactory level of competition, considering those guidelines.

10 (b) The state procurement office of the department of
11 accounting and general services shall prepare and, from time to
12 time, revise guidelines for the use of procuring agencies in
13 complying with the requirements of this section. The office
14 shall prepare final procurement guidelines within one hundred
15 eighty days based on the federal regulations adopted pursuant to
16 7 U.S.C. §8102 as they existed on January 1, 2008. The
17 guidelines shall:



- 1 (1) Provide direct or indirect access to information
2 regarding items identified or certified by federal
3 rules, as they existed on January 1, 2008, that are or
4 can be produced with biobased products and whose
5 procurement by procuring agencies will carry out the
6 objectives of this section;
- 7 (2) Set forth recommended practices with respect to the
8 procurement of biobased products and items containing
9 biobased materials; and
- 10 (3) Provide direct or indirect access to information on
11 availability, relative price, performance, and
12 environmental and public health benefits of biobased
13 materials and items.
- 14 (c) As used in this section, "biobased product" means a
15 product determined by the United States Secretary of Agriculture
16 to be a commercial or industrial product, other than food or
17 feed, that is composed, in whole or in significant part, of
18 biological products or renewable domestic agricultural
19 materials, including plant, animal, and marine materials or
20 forestry materials.
- 21 (d) Every two years beginning July 1, 2010, the office
22 shall submit a report to the senate and the house of



1 representatives no later than twenty days prior to the convening
2 of the regular session of the legislature during each odd
3 numbered year on activities occurring during the prior two
4 fiscal years concerning:

- 5 (1) Actions taken by state agencies with regard to
- 6 purchases of biobased products; and
- 7 (2) Progress made in the implementation of this section,
- 8 including agency compliance with subsection (b).

9 (e) Before September 1 of each even numbered year, each
10 state agency shall report to the office on the effectiveness of
11 the agency's procurement program with respect to its operations
12 during the previous two fiscal years. The office shall prepare
13 and make available to each state agency a procedure and format
14 for presenting this report."

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect on July 1, 2008.

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INTRODUCED BY:

[Signature]
Hannine Morita

JAN 14 2008



Report Title:

Procurement; Biobased Products

Description:

Requires state agencies to consider biobased products in purchasing and enhances the economic development of biobased products.