

Honolulu, Hawaii
Feb 4, 2008

RE: H.B. No. 2267
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Economic Development & Business Concerns,
to which was referred H.B. No. 2267 entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this bill is to improve the protest procedure
in the Hawaii Public Procurement Code by:

- (1) Prohibiting the Chief Procurement Officer from
delegating the authority to resolve protested awards;
- (2) Allowing protesting parties to recover attorney's fees
if they prevail; and
- (3) Transferring review of procurement determinations from
the Office of Administrative Hearings of the Department
of Commerce and Consumer Affairs to the Ombudsman.

The State Procurement Office recommended that the bill be
held. The Office of the Ombudsman could not support the bill in
part. The County of Hawaii Department of Finance opposed the
bill.



Your Committee believes that there is value in continuing the discussion of this measure, which seeks to increase the openness and fairness of the procurement process. Your Committee would like to see dialog on this subject continue, and has amended this measure by:

- (1) Changing its effective date to July 1, 2034; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2267, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2267, H.D. 1, and be referred to the Committee on Legislative Management.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development & Business
Concerns,



KYLE T. YAMASHITA, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HCCR 87-08

Record of Votes of the Committee on Economic Development & Business Concerns

Bill/Resolution No.: HB 2267	Committee Referral: EDB, LMG, FIN	Date: 1/29/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EDB Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMASHITA, Kyle T. (C)	✓			
2. WAKAI, Glenn (VC)	✓			
3. BERG, Lyla B., Ph.D.	✓			
4. BROWER, Tom	✓			
5. CHANG, Jerry L.	✓			
6. HANOHANO, Faye P.	✓			
7. HERKES, Robert N.	✓			
8. MANAHAN, Joey	✓			
9. TSUJI, Clift	✓			
10. YAMANE, Ryan I.	✓			
11. CHING, Corinne W.L.			✓	
12. MARUMOTO, Barbara C.			✓	
TOTAL (12)	10	0	2	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				