

STAND. COM. REP. NO. 1208 -08

Honolulu, Hawaii

March 19, 2008

RE: S.B. No. 2825
S.D. 1
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 S.B. No. 2825, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this bill is to improve compliance with and
administration of the procurement code by:

- (1) Allowing the Administrator of the State Procurement
Office to determine the corrective actions to be taken
by procurement officers;
- (2) Providing that procurement officers who fail to comply
with the administrator's determination of corrective
action within 30 days of issuance of the determination
are subject to an administrative fine for each day of
noncompliance; and
- (2) Making the Comptroller an ex-officio nonvoting member of
the Procurement Policy Board.

The State Procurement Office supported the intent of this
bill. The Department of Accounting and General Services submitted
testimony in opposition.

SB2825 HD1 HSCR EDB HMS 2008-2959



Your Committee believes that the Comptroller, as the only member of the Procurement Policy Board who represents the interests of the State, is a valuable voting member of the board. Additionally, your Committee while recognizing that compliance with the procurement code is essential to a fair and open process for the disposition of public funds, questions the effectiveness of taking action against the procurement officer, personally.

As such, your Committee has amended this measure by:

- (1) Deleting the section making the Comptroller an ex-officio nonvoting member of the Procurement Policy Board; and
- (2) Changing the effective date to July 1, 2034, to encourage further discussion.

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 S.B. No. 2825, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2825, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

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

1208.08

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

Bill/Resolution No.: SB 2825, SD1	Committee Referral: EDB, JUD	Date: 3/11/08		
<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)	9	1	1	1
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				