

STAND. COM. REP. NO. 1209 -08

Honolulu, Hawaii

March 19, 2008

RE: S.B. No. 2867  
S.D. 2  
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. 2867, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT  
CODE,"

begs leave to report as follows:

The purpose of this bill is to deter offerors and  
subcontractors from using false information to obtain a  
procurement contract by providing that false information knowingly  
placed in a procurement bid:

- (1) Is a basis for rejection of the bid; and
- (2) May result in debarment or suspension, and shall result  
in a one year mandatory suspension from being considered  
for procurement awards.

The Department of Accounting and General Services supported  
the intent of this measure. The State Procurement Office offered  
comments.

This bill will strengthen the integrity of state procurement  
procedure by providing clear consequences for offerors and  
subcontractors who intentionally seek to deceive procurement  
officers. Your Committee has amended this bill as suggested by  
the State Procurement Office to make the language of this bill

SB2867 HD1 HSCR EDB HMS 2008-2962



consistent with the procurement code, and its sanctions, applicable to all forms of procurement. Other technical, nonsubstantive amendments were made 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 S.B. No. 2867, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2867, S.D. 2, 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

1209.08

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

<b>Bill/Resolution No.:</b> SB 2867, SD2	<b>Committee Referral:</b> EDB, JUD	<b>Date:</b> 3/11/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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.	✓			
<b>TOTAL (12)</b>	11	0	0	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office				