



The Judiciary, State of Hawaii

Testimony to the Twenty-fifth State Legislature, Regular Session of 2009

Senate Committee on Judiciary and Government Operations

The Honorable Brian T. Taniguchi, Chair

The Honorable Dwight Y. Takamine, Vice Chair

Tuesday, March 3, 2009, 9:30 a.m.

State Capitol, Conference Room 016

by

Thomas R. Keller

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 19, Relating to Procurement.

Purpose: Clarifies the administrative director's role as the chief procurement officer for the judiciary.

Judiciary's Position:

The Judiciary takes no position on this measure but offers the following language to further clarify the proposed amendment.

- (7) Carry out all duties and responsibilities as the chief procurement officer for the judiciary in accordance to chapter 3-121 of the Hawai'i Administrative Rules;

Thank you for the opportunity to testify on Senate Bill No. 19.

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TESTIMONY
OF
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TO THE
SENATE COMMITTEE
ON
JUDICIARY AND GOVERNMENT OPERATIONS

March 03, 2009

SB 19

RELATING TO PROCUREMENT.

Chair Taniguchi, Vice-Chair Takamine and committee members, thank you for the opportunity to testify on SB 19. This bill clarifies that the Judiciary's Administrative Director's duties may include all the duties and responsibilities as the Chief Procurement Officer for the Judiciary.

HRS §103D-203(a) already provides that the Chief Procurement Officer for the Judiciary is the administrative director of the courts. This bill would revise HRS §601-3 to provide consistency with HRS §103D-203(a). The State Procurement Office has no objections to this bill.

Thank you.

The Senate
The Twenty-Fifth Legislature
Committee on Judiciary and Government Operations
March 3, 2009, 9:30 a.m.
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Statement of the Hawaii Carpenters Union on S.B. 19

The Hawaii Carpenters Union urges the addition of the contents of would have been an amended S.B 1125 prior to the February 27, 2009 decision making of this committee, to S.B. 19. We believe an inadvertent combining of two differing concepts and statutory categories took place when the contents of S.B. 687 were added to S.B. 1125.

Prior to that combination, a proposed S.B. 1125, SD2 would have deleted the requirement under chapter 103D-310 that offerors be a party to a registered apprenticeship program, and instead provide a 5% preference pursuant to Part X of 103D. This is in addition to extensive amendments that made up the SD1.

Upon close examination, the contents differ in nature and should be considered separately. The contents of S.B. 687 are *requirements* that must be met to be an eligible offeror for construction contracts. The amended S.B.1125 instead provides a *preference*, so that no contractor is prevented from bidding by the Bill.

S.B 19 is technical in nature, so there will be no conflicting provisions within the same Bill. We urge that the extensive work that produced the SD 1, and the additional amendment reducing a requirement to a preference, be differentiated by adding the contents to S.B. 19.

Thank you for your consideration of our testimony.