

Honolulu, Hawaii

APR 22 2010

, 2010

RE: S.B. No. 2831
S.D. 1
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2831, S.D. 1, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to make permanent the requirements for withholding payment to a subcontractor effectuated by Act 175, Session Laws of Hawaii 2009.

Your Committee on Conference finds that the amendment made by Act 175 to section 103-2.1, Hawaii Revised Statutes, eliminates confusion concerning the procedure and amount of retainage that may be withheld from a subcontractor on a public works project and clarifies the conditions under which a procurement officer can withhold part or all of a subcontractor's payment request. As such, your Committee on Conference believes that the amendment should be made permanent.



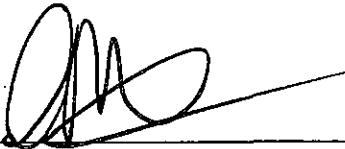
Your Committee on Conference has amended this measure by making a technical, nonsubstantive change for purposes of accuracy in the statutory language.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2831, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

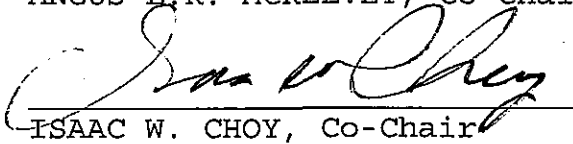
ON THE PART OF THE SENATE



ANGUS L.K. MCKELVEY, Co-Chair



BRIAN T. TANIGUCHI, Chair




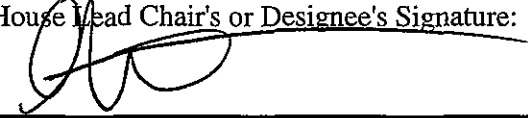
ISAAC W. CHOY, Co-Chair



Hawaii State Legislature

82-10

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2831, SD 1, HD 1					Date/Time: <i>April 19, 2010, 4:00 pm</i>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
TANIGUCHI, Brian T., Chr.		✓				MCKELVEY, Angus L.K., Co-Chr.		✓			
TAKAMINE, Dwight Y.					✓	CHOY, Isaac W., Co-Chr.		✓			
SLOM, Sam		✓				WARD, Gene		✓			
TOTAL		2			1	TOTAL		3			
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is:					House Recommendation is:						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 						
Distribution:		Original		Yellow		Pink		Goldenrod			
		File with Conference Committee Report		House Clerk's Office		Senate Clerk's Office		Drafting Agency			