

Honolulu, Hawaii

April 27, 2007

RE: S.B. No. 17
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
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. 17, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

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 prohibit government contracts with a value of less than \$1,000,000 for design professional services from requiring the design professional to defend the governmental body from any liability, damage, loss, claim, action, or proceeding.

This measure addresses the problems that arise from the fact that a great majority of architectural businesses may not be able to absorb the unpredictable costs of defending the State against all claims.



Your Committee on Conference has amended this measure by changing the effective date from January 1, 2112, to upon its approval and by making technical, nonsubstantive amendment for the purpose of style.

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. 17, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 17, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

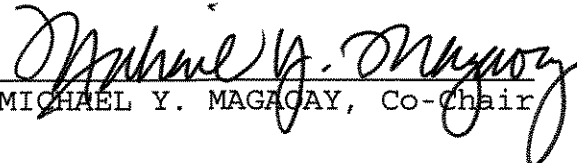
ON THE PART OF THE SENATE


KYLE T. YAMASHITA, Co-Chair


CLARENCE K. NISHIHARA, Chair


TOMMY WATERS, Co-Chair




CLAYTON HERBERT, Co-Chair


MICHAEL Y. MAGACAY, Co-Chair



Hawaii State Legislature

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 17, SD 2, HD 2					Date/Time: 07/27/07 9:50 am				
<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
NISHIHARA, Clarence K., Chr.	/				YAMASHITA, Kyle T., Co-Chr.	/			
HEE, Clayton, Co-Chr.	/				WATERS, Tommy, Co-Chr.				/
KIM, Donna Mercado	/				MAGAOAY, Michael Y., Co-Chr.	/			
TRIMBLE, Gordon				/	MARUMOTO, Barbara C.	/			
TOTAL	3	0	0	1	TOTAL	3	0	0	1
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				
File with Conference Committee Report					House Clerk's Office				
					Pink				
					Senate Clerk's Office				
					Goldenrod				
					Drafting Agency				