STAND. COM. REP. NO.

1237

Honolulu, Hawaii

APR 0.9 2009

RE: H.B. No. 1642 H.D. 1 S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 1642, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES,"

begs leave to report as follows:

The purpose of this measure is to clarify that any organization that is awarded a contract through state procurement laws and the request for proposal process is not entitled to receive more money, in any form, than the amount of the bid.

This measure also requires bidders to be properly licensed in the State to conduct the business being sought by the request for proposals, unless the business being sought is not required by the State to be licensed.

Your Committee finds that procurement laws regarding request for proposal procedures for the purchase of health and human services need to be clarified in order to make the process more equitable amongst all bidders for health and human services contracts.

Your Committee has amended this measure by:

(1) Clarifying that the amount of the proposal shall not exceed the amount to be expended by the State, which addresses the situation where the provider may not meet



the requirements under the contract and a lesser amount is warranted; and

(2) Changing the effective date to July 1, 2050 to continue the discussions on this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1642, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1642, H.D. 1, S.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary and Government Operations,

BRIAN T. TANIGUCHI, Chair



The Senate Twenty-Fifth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Government Operations JGO

Bill / Resolution No.:*	on No.:* Committee Referral: Date:				
HB1642, HD1, SD1 HTH/HMS, JTO 4/2/2009					
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	·	\sim			
TAKAMINE, Dwight Y. (VC)		V			
BUNDA, Robert		<u> </u>		10000000000000000000000000000000000000	
GABBARD, Mike					
NISHIHARA, Clarence K.					anti-aligned at the local second s
SLOM, Sam	<u>.</u>				
TOTAL	_	5	0	l l ·	
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes