

Honolulu, Hawaii

APR 01 2010

RE: H.B. No. 2283  
H.D. 2  
S.D. 1

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

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 2283, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require all officers and employees of the State and each county who are conducting public procurement to do so in an ethical manner, as described in the measure; and
- (2) Require that any person, including any actual or prospective bidder, offeror, contractor or business taking part in public procurement to act in good faith to practice purchasing ethics and to display business integrity, as described in the measure.

Testimony in support of the measure was submitted by the Hawaii Procurement Institute. Comments regarding the measure were submitted by the State Procurement Office and the Department of Accounting and General Services. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that, although the current State Procurement Administrative Rules include an ethics provision in Hawaii Administrative Rules section 3-131-1.02, this measure is intended to strengthen and emphasize the State's commitment to



ethical procurement practices. Your Committee further finds that this measure is intended to enhance public confidence in the integrity of the procurement process.

Your Committee has amended this measure by:

- (1) Making changes to the measure for consistency with the existing ethics provision in Hawaii Administrative Rules section 3-131-1.02, as suggested by the State Procurement Office; and
- (2) Inserting an effective date of September 14, 2047, to ensure further discussion regarding this measure.

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. 2283, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2283, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

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.:* <b>HB 2283, HD2</b>	Committee Referral: <b>JGO</b>	Date: <b>3/24/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: 				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

**\*Only one measure per Record of Votes**