

STAND. COM. REP. NO.

2962

Honolulu, Hawaii

APR 01 2010

RE: H.B. No. 2676
H.D. 1
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. 2676, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION,"

begs leave to report as follows:

The purpose of this measure is to exempt contracts made by the Kaho'olawe Island Reserve Commission (KIRC) for the procurement of food or fuel products from the State Public Procurement Code, chapter 103D, Hawaii Revised Statutes.

Testimony in support of the measure was submitted by the KIRC. Testimony in opposition to the measure was submitted by the State Procurement Office. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that procurement for the Kaho'olawe Island Reserve presents special problems, due to the presence of unexploded ordinance and the fluctuating number of volunteers with different dietary restrictions, and the way that supplies must be brought onto the island. While providing food and electricity to the people is critical, stockpiling is impracticable for several reasons and procurement exemptions for fresh meat and produce are not available. Your Committee received testimony from the KIRC indicating that, given the way that procurement requirements apply to the Kaho'olawe Island Reserve, the results of the exemption will



encourage more competition and will accrue cost savings for goods and services.

While your Committee generally agrees with the State Procurement Code's position that exemptions from the State Public Procurement Code should be limited, nonetheless, given the special difficulties that procurement presents for the KIRC, your Committee believes that an exemption for a limited time period is warranted.

Your Committee has amended this measure by:

- (1) Limiting the exemption's application to a three-year period;
- (2) Inserting an effective date of September 14, 2047, to facilitate further discussion; and
- (3) Making technical, nonsubstantive changes for purposes of style and accuracy.

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. 2676, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2676, H.D. 1, 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.:* HB 2676, HD1	Committee Referral: JGO	Date: 3/24/10		
<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			✓	
TOTAL	5	0	1	0
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: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

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