

STAND. COM. REP. NO.

364

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1210
S.D. 1

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

Madam:

Your Committee on Human Services, to which was referred S.B. No. 1210 entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a preference for bidders on government contracts who pledge to hire individuals with disabilities and certain temporary assistance for needy families recipients.

Testimony in support of this measure was submitted by the State Rehabilitation Council and the Hawaii Disability Rights Center. Testimony in opposition to this measure was submitted by the Statewide Independent Living Council. Comments were submitted by the Department of Human Services, the State Council on Developmental Disabilities, and Daintry Bartoldus. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that during this economic downturn, persons with disabilities are suffering from high unemployment rates. According to the State Rehabilitation Council, the unemployment rate for persons with disabilities is sixty-two per cent.

Your Committee also finds that persons with disabilities often encounter difficulties gaining employment that allows them



to achieve personal and economic self-sufficiency, and that this measure provides some support in achieving self-sufficiency.

Your Committee notes the State Council on Developmental Disabilities' concerns over the definition of a pledge to hire and ensuring that a successful bidder actually hires persons with disabilities or recipients of temporary assistance for needy families for the duration of the contract after pledging to do so.

Your Committee also notes the Department of Human Services' concern that the required establishment of a registry of individuals with disabilities and recipients of temporary assistance for needy families would likely require an appropriation, which may have an adverse impact on the priorities of the executive biennium budget.

In light of these concerns, your Committee has amended this measure as follows:

- (1) By requiring preference to be given to bidders who actually hire, rather than pledge to hire, persons with disabilities or recipients of temporary assistance for needy families;
- (2) By eliminating the requirement to establish a registry of individuals with disabilities and recipients of temporary assistance for needy families;
- (3) By clarifying the definition of "individual with disability" to include the requirement that the individual be qualified to receive services from the Department of Human Services' Vocational Rehabilitation Services for the Blind Division, the Department of Health's Adult Mental Health or Developmental Disabilities Divisions, or the United States Department of Veterans Affairs;
- (4) By authorizing the State Procurement Policy Board to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to clarify and implement the requirements of this measure; and
- (5) By making technical, nonsubstantive amendments to correct typographical errors.



As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1210, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1210, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1210</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HMS, JGO</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-17-09</div>		
<div><input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____</div>				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input type="checkbox"/> Pass, unamended 2312</div><div><input checked="" type="checkbox"/> Pass, with amendments 2311</div><div><input type="checkbox"/> Hold 2310</div><div><input type="checkbox"/> Recommit 2313</div></div>				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
HEMMINGS, Fred	✓			
TOTAL	4	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"><div><input checked="" type="checkbox"/> Adopted</div><div><input type="checkbox"/> Not Adopted</div></div>				
Chair's or Designee's Signature: <div style="text-align: center; font-size: 1.5em; font-family: cursive; margin-top: 10px;">Dr. Shum</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; 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