STAND. COM. REP. NO. 305

Honolulu, Hawaii

Feb 12, 2007

RE: H.B. No. 964

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 964 entitled:

"A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE,"

begs leave to report as follows:

The purpose of this bill is to facilitate employment-related drug testing by:

- (1) Allowing the use of substance abuse tests that may be used for forensic testing as a workplace drug testing device; and
- (2) Requiring that these substance abuse tests be administered in accordance with the manufacturer's recommendations.

The Pacific Resource Partnership and Branan Medical Corporation testified in support of this bill. The Department of Human Resources Development and Department of Health testified in opposition to this measure.

Drug use, especially the use of "crystal meth", is a major problem facing Hawaii. In particular, employers are discovering that substance abuse is a growing problem in the workplace that contributes to an impaired workforce resulting in work quality issues. In an effort to promote drug-free environments, many employers require prospective employees to be subjected to

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substance abuse screening prior to employment. However, these tests can be costly and difficult to schedule since only a few laboratories conduct them. With the growing popularity of oral fluid drug screens on the West Coast, your Committee finds that the use of these devices in Hawaii may provide a cost effective way for employers to provide drug screening of potential employees.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2059, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 964, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 964, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Labor & Public Employment,

ALEX M. SONSON, Chair

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State of Hawaii House of Representatives The Twenty-fourth Legislature

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Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 964	Date:	2-6-0	フ	
Committee Referral: LAB,JUD	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Pass, with amendments			
☐ Hold	Pass, with amendments, for recommittal for further consideration			
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)				
2. NAKASONE, Bob (VC)				
3. EVANS, Cindy				
4. HAR, Sharon E.	/			
5. LEE, Marilyn B.				
6. LUKE, Sylvia				
7. McKELVEY, Angus L.K.		V		
8. NISHIMOTO, Scott Y.				
9. SOUKI, Joseph M.	V			
10. TAKAMINE, Dwight Y.				
11. TAKUMI, Roy M.				
12. MEYER, Colleen Rose				<i>-</i>
13. PINE, Kymberly Marcos				
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TOTAL	10	l l		2
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				