STAND. COM. REP. NO. 1672

Honolulu, Hawaii

APR 0 5 2007

RE: H.B. No. 964

H.D. 1 S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 964, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to ensure the safety of workers by providing a cost effective detection and deterrence tool of drug testing.

This bill would allow for the use of substance abuse on-site screening that meets the requirements of the United States Food and Drug Administration or is manufactured in a facility licensed by the United States Food and Drug Administration.

Your Committee finds that drug abuse has become a major health and safety challenge facing Hawaii's construction industry. Drug abuse has resulted in accidents at the work site, sub-quality workmanship, and higher worker's compensation claims and premiums.

Your Committee finds that there is a need to allow for quicker and less expensive substance abuse on-site screening tests. It is not the intent of your Committee to de-regulate the oversight of these tests. Your Committee finds that the Department of Labor and Industrial Relations should be more involved in the regulation and oversight of the on-site screening tests.

HB964 SD2 SSCR JDL .doc

Your Committee received testimony in support of the bill from the State Department of Labor and Industrial Relations, the Building Industry Association of Hawaii, Reliable Drug Testing Services, Inc., Emerald Bay Consulting, LLC, the Hawaii Carpenters Union, The Pacific Resources Partnership, Branan Medical Corporation, General Contractors Association of Hawaii, Kapolei Property Development, LLC, Ralph S. Inouye Co., Ltd., S&M Sakamoto, Inc., Waiawa Ridge Development, LLC, Hidano Constuction, Inc., Castle & Cooke Homes Hawaii, Inc., and Hawaiian Dredging Construction Company, Inc. Testimony in opposition to the bill was received from the State Department of Health, Straub Doctors on Call, Clinical Labs of Hawaii, and one individual.

Your Committee amended the bill by changing the effective date from July 1, 2255 to July 1, 2007.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 964, 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. 964, H.D. 1, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTO HEE, Chair

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* HB964, HD1, SD1			te: 4-3-07		
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
HEE, Clayton (C)		<b>V</b>			
KOKUBUN, Russell S. (VC)					
INOUYE, Lorraine R.		~			
NISHIHARA, Clarence K.			The second second	elenderheids II Indied (1902 (1991) In e	
GABBARD, Mike					
TOTAL		4			1
Recommendation:  Adopted			Not Adopted		
Chair's or Designee's Signature: Clarence Khishihara					
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency					