

Honolulu, Hawaii

APR 30 2009 , 2009

RE: S.B. No. 931  
S.D. 1  
H.D. 1  
C.D. 1

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

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 931, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to protect public health from the potential spread of disease by authorizing the Department of Health, when the Director of Health finds that reasonable cause exists, to demand entry onto any premises, public or private, for the purpose of securing or collecting any samples necessary to conduct epidemiologic investigations.

Your Committee on Conference finds that the interruption, containment, and prevention of outbreaks of dangerous diseases depend on timely epidemiological investigations that often include the collection of samples to determine the source and track the spread of the disease. One of the most common reasons for the



Department of Health to conduct an epidemiologic investigation is the outbreak of food borne disease, such as *E. coli* or salmonella. However, such investigations have been impeded by individuals who fail to cooperate with the Department. This measure remedies the situation by ensuring timely access to samples needed for these investigations to ensure that the public health will not be compromised.

Your Committee on Conference has amended this measure by:

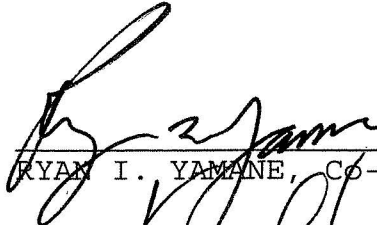
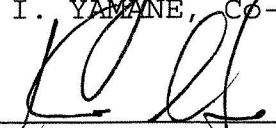
- (1) Clarifying that the purpose of entry onto a premises is for an administrative investigation;
- (2) Defining "administrative investigation" to mean any investigation, independent of a criminal investigation, that is conducted for the purpose of determining the existence of disease or series of injuries deemed by the Department to threaten the public health or safety. An administrative investigation may involve the examination of real or personal property, records, equipment, buildings, products, by-products, wastes, processes, activities, environmental conditions (i.e., air, soil, and water quality), or other property or activities;
- (3) Replacing "natural resource, or hazardous material samples" with "environmental samples";
- (4) Changing the effective date to July 1, 2009; and
- (5) Making technical, nonsubstantive changes for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 931, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 931, S.D. 1, H.D. 1, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

  
\_\_\_\_\_  
RYAN I. YAMANE, Co-Chair  
  
\_\_\_\_\_  
KEN ITO, Co-Chair

ON THE PART OF THE SENATE

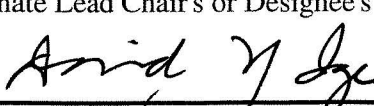
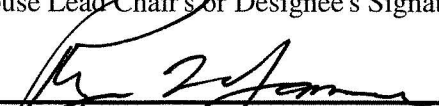
  
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DAVID Y. IGE, Chair  
  
\_\_\_\_\_  
BRIAN T. TANIGUCHI, Co-Chair



## Hawaii State Legislature

CCR 87

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 931, SD 1, HD 1</b>					Date/Time: <b>4/30/2009</b>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
IGE, David Y., Chr.	✓				YAMANE, Ryan I., Co-Chr.	✓			
TANIGUCHI, Brian T., Co-Chr.	✓				ITO, Ken, Co-Chr.	✓			
BAKER, Rosalyn H.	✓				FINNEGAN, Lynn				✓
TOTAL	3				TOTAL	2			1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution: Original					Yellow				
File with Conference Committee Report					House Clerk's Office				
					Pink				
					Senate Clerk's Office				
					Goldenrod				
					Drafting Agency				