

Honolulu, Hawaii

FEB 13 2019

RE: S.B. No. 258
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 258 entitled:

"A BILL FOR AN ACT RELATING TO LEAD-BASED PAINT,"

beg leave to report as follows:

The purpose and intent of this measure is to reduce risks to public health and welfare by banning the use of lead-based paints on outdoor structures and to provide for an abatement plan for lead hazards that already exist on outdoor structures.

Your Committees received testimony in support of this measure from the Department of Education and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committees received comments on this measure from the Department of Health.

Your Committees find that lead-based paint has serious health risks. Lead has been shown to cause neurological damage, behavioral and learning disabilities in children, kidney damage, miscarriages, and more. There is no safe level of exposure to lead and no way to reverse the damage caused by lead exposure.

Your Committees also find that while restrictions on lead-based paints have been in place for residential structures for decades, only Delaware has restrictions on lead-based paints on



outdoor structures. Lead-based paints have historically been used and continue to be allowed on outdoor structures such as bridges, water towers, playground equipment, highways, parking lots, and utility towers and poles. The use, maintenance, and removal of paints containing lead on outdoor structures create lead exposure pathways that are hazardous to workers, contaminate the environment, and expose children and adults who live, work, and play in proximity to these structures.

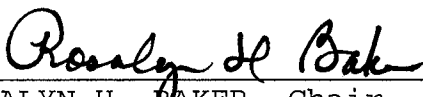
Your Committees note that the Department of Health does not currently have the resources and expertise it needs to implement rules to ban lead-based paint on outdoor structures and create an abatement plan for existing structures with lead-based paint. Your Committees also note that this measure does not appropriate funds for such purposes.

Accordingly, your Committees have amended this measure by:

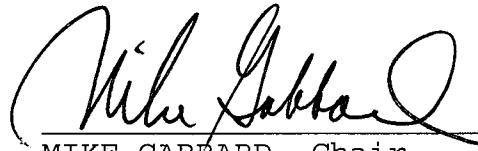
- (1) Deleting the requirement for administrative rulemaking regarding development of the lead-based paint abatement plan; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 258, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 258, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Commerce,
Consumer Protection, and
Health,



ROSALYN H. BAKER, Chair



MIKE GABEARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

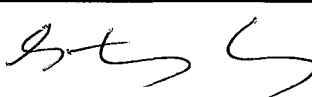
Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 258	Committee Referral: AEN/CPH, WAM	Date: 2-6-2019		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
RHOADS, Karl	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 258	AEN/CPH, WAM	2/6/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
FEVELLA, Kurt				✓
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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