

STAND. COM. REP. NO. **790**

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1411
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1411, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DRUG AND ALCOHOL TOXICOLOGY TESTING LABORATORY,"

begs leave to report as follows:

The purpose and intent of this measure is to improve the administration of drug and alcohol toxicology testing.

Specifically, the measure:

- (1) Specifies that moneys in the state highway fund may be expended for the cost of establishing and maintaining a drug and alcohol toxicology testing laboratory;
- (2) Renames the state drug and alcohol toxicology testing laboratory special fund to remove the word "state";
- (3) Specifies that moneys in the drug and alcohol toxicology testing laboratory special fund shall be administered and expended by the Department of Transportation or appropriated as a grant-in-aid to the Emergency Services Department of the City and County of Honolulu;
- (4) Prior to each of the Regular Sessions of 2025 and 2026, requires the Department of Health and City and County of



Honolulu to submit to the Legislature a report on the expenditures made from the drug and alcohol toxicology testing laboratory special fund; and

- (5) Appropriates moneys from the state highway fund into the drug and alcohol toxicology testing laboratory special fund.

Your Committee received written comments in support of this measure from Department of Transportation, City and County of Honolulu Emergency Services Department, and one individual.

Your Committee finds that improving highway safety and protecting the lives of community members and visitors should be high priorities. Your Committee believes that establishment of a drug and alcohol toxicology testing laboratory, which will be facilitated by this measure, will provide law enforcement personnel and adjudicators with the resources necessary to protect the public from impaired drivers.

Your Committee has amended this measure by:

- (1) Replacing certain references to the City and County of Honolulu with references to a county with a population of five hundred thousand or more;
- (2) Authorizing the unspecified sums appropriated out of the drug and alcohol toxicology testing laboratory special fund to be appropriated as a grant-in-aid to the City and County of Honolulu;
- (3) Clarifying language intended to prevent the untimely lapsing of funds;
- (4) Requiring the Department of Transportation, rather than the Department of Health, to share responsibility with the City and County of Honolulu to submit the measure's mandatory reports to the Legislature;
- (5) Making conforming amendments to certain session laws to conform to the extended repeal date of the drug and alcohol toxicology testing laboratory special fund;



- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure;
- (7) Inserting a proviso to the effective date to ensure that the appropriations within the measure will take effect at the beginning of a fiscal year; and
- (8) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1411, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1411, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

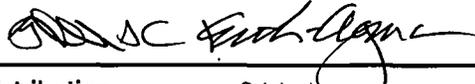


DONOVAN M. DELA CRUZ, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

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|--|--|-------------------------|-----|---------|
| Bill / Resolution No.:* SB1411 SD1 | Committee Referral: TCA, WAM | Date: 2/28/23 | | |
| <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 |
| DELA CRUZ, Donovan M. (C) | X | | | |
| KEITH-AGARAN, Gilbert S.C. (VC) | X | | | |
| AQUINO, Henry J.C. | X | | | |
| DECOITE, Lynn | X | | | |
| INOUYE, Lorraine R. | X | | | |
| KANUHA, Dru Mamo | X | | | |
| KIDANI, Michelle N. | X | | | |
| KIM, Donna Mercado | X | | | |
| LEE, Chris | X | | | |
| MORIWAKI, Sharon Y. | X | | | |
| SHIMABUKURO, Maile S.L. | X | | | |
| WAKAI, Glenn | X | | | |
| FEVELLA, Kurt | X | | | |
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| TOTAL | 13 | | | |
| 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