

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



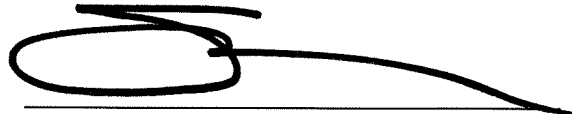
substance abuse screening prior to employment. However, these tests can be costly and difficult to schedule since only a few laboratories conduct them. With the growing popularity of oral fluid drug screens on the West Coast, your Committee finds that the use of these devices in Hawaii may provide a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



