

STAND. COM. REP. NO.

837

Honolulu, Hawaii

March, 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 Judiciary, to which was referred H.B. No. 964, H.D. 1, 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) Including, in the definition of "substance abuse on-site screening test" (screening test) under the Substance Abuse Testing law, the use of screening tests that may be used for forensic testing as a workplace testing device; and
- (2) Requiring employers using a screening test for pre-employment screening to administer the test in accordance with the manufacturer's package insert, instead of the United States Food and Drug Administration insert.

The Pacific Resource Partnership, Branan Medical Corporation, Emerald Bay Consulting, Hidano Construction, Inc., Castle & Cooke Homes Hawaii, Inc., Waiawa Ridge Development LLC, Building Industry Association of Hawaii, Kapolei Property Development LLC, and the Hawaii Carpenters Union testified in support of this bill. The Department of Health, Department of Human Resources Development, and a concerned individual opposed this measure.

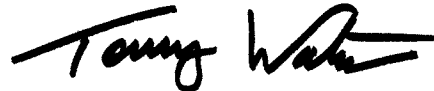
HB964 HD1 HSCR JUD HMS 2007-2429



Your Committee received proposed amendments from the proponents of this bill to allay concerns raised about the bill. However, those objecting to this bill have not had adequate opportunity to review the proposed amendments. Your Committee finds that further consideration of this bill is warranted and that the effective date of this measure, July 1, 2059, is intended to encourage such discussion.

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

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



TOMMY WATERS, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: H.B. 964, HD1 HSCR 305		Date: 2/20/07		
Committee Referral: JUD		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. CALDWELL, Kirk				/
4. EVANS, Cindy	/			
5. GREEN, Josh, M.D.	/			
6. ITO, Ken	/			
7. LUKE, Sylvia	/			
8. McKELVEY, Angus L.K.				/
9. MORITA, Hermina M.	/			
10. SONSON, Alex M.	/			
11. SOUKI, Joseph M.				/
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. YAMASHITA, Kyle T.	/			
15. MARUMOTO, Barbara C.	/			
16. PINE, Kymberly Marcos				/
17. THIELEN, Cynthia				/
TOTAL	12			5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				