

STAND. COM. REP. NO. 353

Honolulu, Hawaii

Feb 18, 2009

RE: H.B. No. 315
H.D. 1

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

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 315 entitled:

"A BILL FOR AN ACT RELATING TO VOLCANIC EMISSIONS,"

begs leave to report as follows:

The purpose of this bill is to protect the health and safety of workers exposed to volcanic emissions by requiring the Department of Labor and Industrial Relations (DLIR), in consultation with the Department of Health (DOH) and the Inter-agency Task Force on Vog (Task Force), to establish standards to promote worker safety during high incidences of vog or sulfur dioxide.

The Mayor of the County of Hawaii, Councilmember for Council District 6 of the Hawaii County Council, Department of Research and Development of the County of Hawaii, Ka'u Farm Bureau, and several concerned individuals testified in support of this bill. DLIR supported the intent of this measure. The Hawaii Insurance Council opposed this bill. The Councilmember for Council District 5 of the Hawaii County Council submitted comments.

Many workers, especially those on the Island of Hawaii, have work-related duties or work in environments that expose them to high levels of vog or sulfur dioxide. Exposure to these substances has recently increased, mainly due to an increase in emissions from a new vent at the Halema'uma'u Crater on Kilauea Volcano. This increased exposure has posed health risks, with

HB315 HD1 HSCR LAB HMS 2009-1928



people becoming ill. No standards currently exist to measure the occupational safety and health impacts of the exposure to vog or sulfur dioxide. Developing appropriate work safety standards during high incidences of vog or sulfur dioxide will allow employers and workers to respond appropriately to protecting the health and safety of workers.

However, your Committee understands that other agencies, particularly on the federal level, may also need to be consulted prior to DLIR's development of new workplace safety standards. Accordingly, your Committee has amended this measure by requiring that DLIR consult with the National Institute for Occupational Safety and Health, Occupational Safety and Health Administration, and the American Conference of Governmental Industry Hygienists, in addition to DOH and the Task Force, prior to establishing any worker safety standards.

Technical, nonsubstantive amendments were also made 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. 315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 315, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,

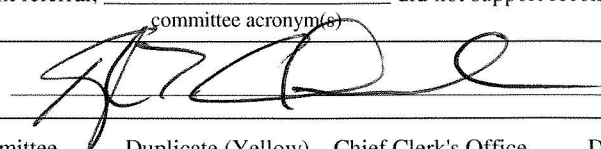


KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 315	Committee Referral: LAB, FIN	Date: 2-7-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.				/
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.				/
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.				/
12. PINE, Kymberly Marcos				/
TOTAL (12)	8	-	-	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				