

STAND. COM. REP. NO.

3118

Honolulu, Hawaii

APR - 9 2010

RE: S.R. No. 65
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Labor, to which was referred S.R. No. 65
entitled:

"SENATE RESOLUTION URGING THE DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY
AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE
SAFETY AND HEALTH,"

begs leave to report as follows:

The purpose of this measure is to urge the Department of
Labor and Industrial Relations to meet or exceed occupational
safety and health administration position benchmarks for workplace
safety and health.

Testimony in support of this measure was submitted by four
private organizations. Comments were submitted by one state
agency. Written testimony presented to the Committee may be
reviewed on the Legislature's website.

Your Committee finds that current staffing levels of the
Department of Labor and Industrial Relations (DLIR) are
insufficient for the DLIR's Hawaii Occupational Safety and Health
Division to fulfill its mission of workplace safety and health and
administer the United States Occupational Safety and Health
Administration's (OSHA) federal job safety and health standards.
This measure addresses the need for a minimum level of DLIR staff
to reduce risk and loss to Hawaii's private and public workers.



Your Committee has learned that the State of California has implemented a construction safety and health program through which trained private individuals presenting credentials at a construction site are allowed onto the site to determine whether or not safety and health laws are being violated. Information on potential violations is submitted to California OSHA officials, who determine what course of action, if any, should then be taken. Your Committee finds that a similar program could benefit the State of Hawaii and that the feasibility of implementing such a program in the State should be explored.

Your Committee has also heard the concerns regarding the accuracy of the information from the Construction Injury Law Firms report of February 11, 2010.

Accordingly, your Committee has amended this measure as follows:

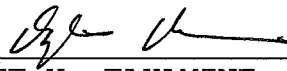
- (1) By striking the language describing the findings of the Construction Injury Law Firms report and the number of fatalities in the construction industry that occurred between 2004 and 2008 in the nation and in Hawaii;
- (2) By adding language describing the State of California's construction safety and health program;
- (3) By requesting DLIR to perform a study on the feasibility of implementing in the State of Hawaii a program similar to California's construction safety and health program and report its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2011; and
- (4) By amending the title to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 65, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 65, S.D. 1.



3118

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



DWIGHT Y. TAKAMINE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* SR 65	Committee Referral: LBR	Date: 4/8/10		
<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
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert				✓
HEE, Clayton				✓
SLOM, Sam	✓			
TOTAL	3	0	0	2
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