

Honolulu, Hawaii

MAR 17 , 2022

RE: S.B. No. 3126
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Labor & Tourism, to which was referred S.B. No. 3126, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector;
- (2) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors in the exclusive employment of owner-user inspection organizations to perform safety inspections on pressure retaining items; and
- (3) Extend the time for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund from ten to thirteen years.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Hawaiian Electric Company, Inc.; and Par Hawaii.



Your Committee finds that this measure will allow the Department of Labor and Industrial Relations to augment its ability to inspect and assure the safe operation of boiler pressure vessels and pressure systems in the State. This measure will also ensure that owner-user inspectors, who are certified to the same standards as insurance company inspectors and the State's jurisdictional inspectors, are readily available for inspections and consultations.

Your Committee also finds that the three-year extension of time for the Department of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund will help to ensure that safety operations can continue while maintaining a feasible repayment schedule for the Department. Your Committee notes that the Department of Labor and Industrial Relations has deposited \$750,000 toward the reimbursement of the \$1,000,000 loan from the general fund.

Your Committee has amended this measure by:

- (1) Placing the Director of Labor and Industrial Relations' responsibility to appoint a Chief Boiler and Pressure Vessel Inspector under the powers and duties of the Department, rather than creating a standalone section in the Hawaii Revised Statutes establishing the position;
- (2) Deleting as unnecessary the definition of "chief boiler inspector";
- (3) Amending the definitions of "exclusive employment" and "owner-user inspection organization" to comport with national consensus standards and streamline compliance with National Board of Boiler and Pressure Vessel Inspectors regulations; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3126, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3126, S.D.



2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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



RICHARD H.K. ONISHI, Chair



