

SAH - Subcontractors Association of Hawaii

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Testimony To: Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair

Presented By: Tim Lyons, President

Subject: S.B. 722, S.D. 1 – RELATING TO OCCUPATIONAL SAFETY AND HEALTH.

Chair Dela Cruz and Members of the Committee:

I am Tim Lyons, President of the Subcontractors Association of Hawaii. The SAH represents the following nine separate and distinct contracting trade organizations.

HAWAII FLOORING ASSOCIATION

ROOFING CONTRACTORS ASSOCIATION OF HAWAII

HAWAII WALL AND CEILING INDUSTRIES ASSOCIATION

ELECTRICAL CONTRACTORS ASSOCIATION OF HAWAII

TILE CONTRACTORS PROMOTIONAL PROGRAM

PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION OF HAWAII

SHEETMETAL AND AIR CONDITIONING NATIONAL CONTRACTORS ASSOCIATION OF HAWAII

PAINTING AND DECORATING CONTRACTORS ASSOCIATION

PACIFIC INSULATION CONTRACTORS ASSOCIATION

We are in opposition to this bill.

Our primary opposition is to the fact that this bill changes the funding mechanism for HIOSH to place all civil penalties in their newly established Safety and Health Special Fund. (Section 1, line 10 – 11). We note that this is highly unusual for an agency to have their fines and penalties go towards their continued operation. It obviously presents a conflicting appearance when the funding of an agency is dependent upon the fines that they assess. HIOSH has regulations in excess of 1700 pages and virtually any business who is inspected could be found with some sort of violation. The bottom line is, if HIOSH needs more money all they have to do is send their inspectors out.

It may be that HIOSH needs a special fund, and if it does so be it, however it should not be an arrangement where the civil penalties that are assessed go into that very same special fund.

Based on the above, we oppose this bill as written.

Thank you.