

STAND. COM. REP. NO. **2007**

Honolulu, Hawaii

FEB 02 2012

RE: S.B. No. 2220

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 2220 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a boiler and elevator special fund to provide a mechanism for self-sufficiency for the Boiler and Elevator Inspection Branch of the Department of Labor and Industrial Relations by increasing permit and inspection fees and authorizing ten additional positions.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; the Department of Human Resources Development; the Hawaii Government Employees Association (HGEA), AFSCME Local 152, AFL-CIO; the Hawaii State AFL-CIO; the International Longshore Warehouse Union (ILWU), Local 142; the National Elevator Industry, Inc.; the Hawaii Operations Manager of the Elevator/Escalator Division of Mitsubishi Electric & Electronics USA, Inc.; and two private individuals. Testimony in opposition to this measure was submitted by two private individuals.

Your Committee finds that the Boiler and Elevator Inspection Branch operates entirely on general funds, and permit and inspection fees have not changed since 1998. Despite process improvements, seventy-five percent of elevators and fifty percent of boilers are operating without a current permit. Furthermore, the branch has a backlog in performing critical load tests on

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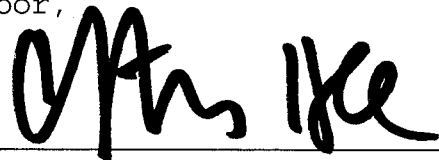
elevators, internal inspections of escalators, and inspections of amusement rides. This measure provides a mechanism for self-sufficiency to enable the branch to hire and retain qualified personnel and carry out inspection and permitting functions related to public safety.

Your Committee recognizes concerns that this measure does not address the need for the State to bring its elevator inspection codes up to date or take into account the time needed to train existing state elevator inspectors to conduct inspections in accordance with 2010 elevator codes. Your Committee believes that updating the elevator code will further ensure public health and safety, and merits further discussion.

Furthermore, testimony notes that in 2009, South Carolina allowed third party inspectors to conduct elevator inspections. As a result, that state increased its capacity for inspecting elevators, and increased revenues and job opportunities, which an increase in fees alone may not have been sufficient to accomplish. As such, your Committee finds that discussion regarding the sufficiency of the funding provided by this measure and the possibility of hiring third party inspectors merits further discussion by the Committee on Ways and Means.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2220 and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

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

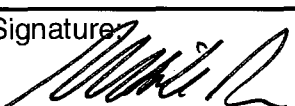


CLAYTON HEE, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 2220</b>	Committee Referral: <b>JDL, WAM</b>	Date: <b>1/26/12</b>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam			✓	
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes