

STAND. COM. REP. NO.

768

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 1004
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1004 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) Allow the Department of Labor and Industrial Relations to prohibit the operation of pressure retaining items, amusement rides, and elevators and kindred equipment if fees and fines are not timely paid; and
- (2) Require the Director of Labor and Industrial Relations to establish the boiler and elevator fee schedule by rule, rather than setting the fees in statute.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the Department of Labor and Industrial Relations has struggled to collect fees for completed inspections, which threatens the viability of the Boiler and Elevator Revolving Fund. This measure will enhance compliance with the timely paying of fees. Your Committee further finds that

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the current statutory fee schedules for boilers and elevators are outdated, as the Department's administrative rules already contain the updated fee amounts. This measure therefore deletes the existing fee schedules in statute.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1004, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1004, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1004	Committee Referral: CPC, FIN	Date: 2/10/2021
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	11	0	0	0

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
_____ committee acronym(s)

Vice Chair's or designee's signature: *Lisa Kitagawa*