

STAND. COM. REP. NO.

846

Honolulu, Hawaii

MAR 05 2021

RE: S.B. No. 936
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 936, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to add a new section to the Hawaii Occupational Safety and Health Law to require:

- (1) The Department of Labor and Industrial Relations to disseminate information regarding seizure first aid to employers, employees, and the general public;
- (2) Employers to post materials provided by the Department of Labor and Industrial Relations; and
- (3) The Department of Labor and Industrial Relations to adopt rules to implement the new requirements.

Your Committee received testimony in support of this measure from the Epilepsy Foundation of Hawai'i and nine individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that seizure disorders like epilepsy are evidenced by sudden surges of electrical activity in the brain



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that affect a variety of mental and physical functions. Your Committee finds that as of 2019, over fifteen thousand people in the State of Hawaii and over three million in the United States are living with epilepsy, and an additional ten percent of the population may experience a non-epileptic seizure in their lifetime. The prevalence of epilepsy and other seizure disorders in our community evidence a need to provide workplace education regarding seizure first aid. This measure would ensure that information is available to members of the community regarding how to render first aid in the event of a seizure. Your Committee notes concerns raised in testimony that the placement of the requirements established by this measure into the Hawaii Occupational Safety and Health Law creates a statutory conflict, and that the requirements are more appropriately placed into the chapter of the Hawaii Revised Statutes that directly governs the Department of Labor and Industrial Relations.

Accordingly, your Committee has amended this measure by:

- (1) Placing the new statutory section into chapter 371, Hawaii Revised Statutes, relating to labor and industrial relations, instead of chapter 396, Hawaii Revised Statutes, relating to occupational safety and health; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 936, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 936, S.D. 2.

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



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 936 SD1	LCA, JDC	03/02/2021

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura		✓		
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	6	1	0	0

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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*Only one measure per Record of Votes