Honolulu, Hawaii

Fe 417, 2006

RE: H.B. No. 2646 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2646, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

beg leave to report as follows:

The purpose of this bill is to improve the delivery of workers' compensation benefits to injured workers by requiring the State and courts to recognize the validity of labor-management agreements that meet certain specified requirements.

The Chamber of Commerce of Hawaii testified in support of this bill. The Department of Human Resources Development opposed this measure. The Department of Labor and Industrial Relations, Office of Information Practices, ILWU Local 142, Hawaii Chapter, American Physical Therapy Association, and Hawaii Employers' Mutual Insurance Company offered comments.

Your Committees amended this bill by:

(1) Clarifying that the derivative reports relating to collective bargaining representatives, labor-management agreements, and employees covered by these agreements are subject to disclosure pursuant to chapter 92F, Hawaii Revised Statutes;

- Clarifying that the "records" rather than the "data" on (2) which the reports are based, are confidential;
- Changing the effective date to July 1, 2096; and (3)
- (4)Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2646, H.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.B. No. 2646, H.D. 2.

> Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

SYLVIA LUKE, Chair

ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

145CR 595

Record of Votes of the Committee on Consumer Protection & Commerce

| Bill/Resolution No.: HB 2646 HD | Date: | 2/15/01 | 0 | | | |
|---|--|-----------------------|------------------|-------------|--|--|
| Committee Referrato, CPCIJUD, FIN | ☐ The committee is reconsidering its previous decision on the measure. | | | | | |
| The recommendation is to: Pass, unamended | ⊻ Pa | Pass, with amendments | | | | |
| ☐ Hold | ☐ Recommit | | | | | |
| CPC Members | Ayes | Ayes (WR) | Nays | Excused | | |
| 1. HERKES, Robert N. (C) | 1 | | | | | |
| 2. SCHATZ, Brian (VC) | | | | / | | |
| 3. CALDWELL, Kirk | | | | | | |
| 4. ITO, Ken | | | | / | | |
| 5. KANOHO, Ezra R. | | | | | | |
| 6. KARAMATSU, Jon Riki | | | | | | |
| 7. MORITA, Hermina M. | | | | | | |
| 8. SONSON, Alex M. | | | | | | |
| 9. SOUKI, Joseph M. | / | | | | | |
| 10. MARUMOTO, Barbara C. | | ✓ | | | | |
| 11. STONEBRAKER, Bud | | | | | | |
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| TOTAL | 4 | 2 | | S | | |
| The recommendation is: Adopted | | | | | | |
| ☐ Not Adopted | | • | | | | |
| If joint referral, | | did not suppor | t recommendation | | | |
| committee acronym(s) | | | | | | |
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| Vice Chair's or designee's signature: | کسک | | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office | | | | | | |

State of Hawaii House of Representatives The Twenty-third Legislature

HSCR 595

Record of Votes of the Committee on Judiciary

| Bill/Resolution No.: | Date: | | | | | |
|--|--|-----------------------|----------------------|---------------|--|--|
| HB 2646 HD1 (HSCR229-06) | 2/15/06 | | | | | |
| Committee Referral: LAB, CPC/JUD, FIN | ☐ The committee is reconsidering its previous decision on the measure. | | | | | |
| The recommendation is to: Pass, unamended | Pas | Pass, with amendments | | | | |
| ☐ Hold | □ Recommit | | | | | |
| JUD Members | Ayes | Ayes (WR) | Nays | Excused | | |
| 1. LUKE, Sylvia (C) | | | | | | |
| 2. OSHIRO, Blake K. (VC) | / | | | | | |
| 3. CALDWELL, Kirk | | | | | | |
| 4. KANOHO, Ezra R. | < | | | | | |
| 5. KARAMATSU, Jon Riki | | | | | | |
| 6. MORITA, Hermina M. | | | | | | |
| 7. SONSON, Alex M. | | | | / | | |
| 8. SOUKI, Joseph M. | / | | | | | |
| 9. MARUMOTO, Barbara C. | | 1 | | | | |
| 10. THIELEN, Cynthia | ✓ | | | | | |
| | | | | | | |
| TOTAL | 6 | 1 | | 2 | | |
| The recommendation is: Adopted Not Adopted If joint referral, | nmittee acronym(| | ort recommendation | | | |
| Vice Chair's or designee's signature: | | | | | | |
| Distribution: Original (White) – Committee Du | uplicate (Yellow) |) – HMSO | Ouplicate (Pink) – C | lerk's Office | | |