

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 386-181, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§386-181 Generally.** (a) As used in this section:

4           "Police chaplain" means a member of an authorized  
5 chaplaincy program of a county police department who performs  
6 services in a voluntary and unpaid capacity under the authorized  
7 direction of an officer of the department.

8           "Public board" means a governmental body, regardless of its  
9 designation, duly created under authority vested by law for the  
10 purposes of performing quasi-judicial, administrative, or  
11 advisory functions.

12           "Reserve police officer" means a member of an authorized  
13 reserve force of a county police department who performs  
14 services in a voluntary and unpaid capacity under the authorized  
15 direction of an officer of the department.

16           "Sheriffs' chaplain" means a member of an authorized  
17 chaplaincy program of the department of public safety who



1 performs functions similar to a police chaplain in a voluntary  
2 and unpaid capacity for the sheriffs' division.

3 "Volunteer boating enforcement officer" means a member of  
4 the authorized volunteer enforcement force of the harbors  
5 division, department of transportation, who performs services in  
6 a voluntary and unpaid capacity under the authorized direction  
7 of an officer of the department.

8 "Volunteer conservation and resources enforcement officer"  
9 means a member of the authorized volunteer enforcement force of  
10 the division of conservation and resources enforcement,  
11 department of land and natural resources, who performs services  
12 in a voluntary and unpaid capacity under the authorized  
13 direction of an officer of the department.

14 "Volunteer firefighter" means a person who performs  
15 services for a county fire department in a voluntary and unpaid  
16 capacity under the authorized direction of an officer of the  
17 department.

18 (b) If a member of a public board, a reserve police  
19 officer, a police chaplain, sheriffs' chaplain, a volunteer  
20 firefighter, a volunteer boating enforcement officer, or a  
21 volunteer conservation and resources enforcement officer is  
22 injured while performing services for the board, county police



1 department, county fire department, department of public safety,  
2 harbors division of the department of transportation, or  
3 division of conservation and resources enforcement of the  
4 department of land and natural resources, under the conditions  
5 specified in section 386-3, the person or the person's  
6 dependents shall be entitled to all compensation in the manner  
7 provided by this chapter and, for the purposes of this chapter,  
8 the person shall, in every case, be deemed to have earned wages  
9 for the services.

10 (c) In computing the average weekly wages of an injured  
11 public board member, reserve police officer, police chaplain,  
12 sheriffs' chaplain, volunteer firefighter, volunteer boating  
13 enforcement officer, or volunteer conservation and resources  
14 enforcement officer:

15 (1) The person's income from self-employment shall be  
16 considered wages;

17 (2) The person shall, in no event, be considered to have  
18 earned less than the minimum hourly wage prescribed in  
19 chapter 387;

20 (3) Wages of other employees in comparable employment  
21 shall not be considered;

22 [~~4) Section 386-51(5) shall not apply;~~] and



1        [~~5~~] (4) All provisions of section 386-51 not inconsistent  
 2                with this section shall apply~~[-]~~; provided that  
 3                section 386-51(5) shall not apply."

4        SECTION 2. Statutory material to be repealed is bracketed  
 5 and stricken. New statutory material is underscored.

6        SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Erzanne Chun Oakland

*Go to →*  
*Will sign*  
*He doesn't*  
*V.S.D. J.*  
*And ylg*

**Report Title:**

Sheriffs' Chaplains; Workers' Compensation

**Description:**

Clarifies that sheriffs' chaplains are entitled to workers' compensation.

