Honolulu, Hawaii

ES 17, 2012

RE: H.B. No. 2099 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 2099 entitled:

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

begs leave to report as follows:

The purpose of this measure is to improve the efficiency of the workers' compensation system by allowing attorney's fees to be included in costs that may be assessed against a party who brings, prosecutes, or defends a workers' compensation claim without reasonable grounds.

The Department of Labor and Industrial Relations, ILWU Local 142, and several concerned individuals testified in support of this measure. The Hawaii Insurers Council provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2099, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2099, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on Economic Revitalization & Business,

ANGUS L.K. McKELVEY, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

HSCR 628-12-

Record of Votes of the Committee on Economic Revitalization & Business

HB 2099 137-12 LAB	e Referral:	F/N Date:	2/16/1	2_
☐ 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)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	X			
2. CHOY, Isaac W. (VC)	*		rank e	
3. AWANA, Karen L.	X			<u>.</u>
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4. BROWER, Tom	Y			
5. EVANS, Cindy	X			
6. HASHEM, Mark J.	X			
7. NISHIMOTO, Scott Y.	X			
8. TOKIOKA, James Kunane	X			
9. TSUJI, Clift	×			
10. MARUMOTO, Barbara C.		X	•	
11. PINE, Kymberly Marcos	X			
TOTAL (11)	10			
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				