

STAND. COM. REP. NO.

2570

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2810
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2810 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR
DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN
SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the
definition of "employment" in the workers' compensation, temporary
disability insurance, and prepaid health care statutes by
clarifying the domestic services exclusion for services authorized
by the Department of Human Services.

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

Your Committee finds that sections 386-1, 392-5, and 393-5,
Hawaii Revised Statutes, exempt developmentally and intellectually
disabled recipients of social service payments from providing
workers' compensation, temporary disability insurance, and prepaid
health care. This measure provides further clarification and
consistency by also exempting aged and disabled recipients of home
and community-based services authorized by the Department of Human
Services and recipients of state-funded home and community-based
services, from having to provide workers' compensation, temporary
disability insurance, and prepaid health care due to the provision
of these services.

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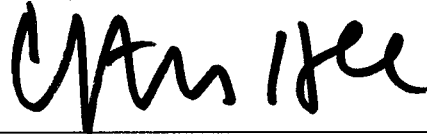


Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to ensure further discussion; 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 and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2810, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2810, S.D. 1.

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



CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2810	Committee Referral: HMS, JDL	Date: 2/24/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓	✓		
TOTAL	3	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes