

JAN 21 2022

A BILL FOR AN ACT

RELATING TO COMPENSATION BENEFITS.

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

1 SECTION 1. Section 46-13.1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{~~\$46-13.1~~}~~ **Volunteer fire stations.** The council of
4 the several counties may establish and maintain one or more
5 volunteer fire stations in any area or areas of the county as it
6 may determine to be necessary to provide adequate fire
7 protection. All necessary facilities and equipment for the
8 volunteer fire stations may be furnished by the county. The
9 officers, firefighters or other personnel necessary for the
10 operation or maintenance of these stations shall be selected and
11 appointed by the fire chief partially or entirely on a voluntary
12 noncompensatory basis and except as otherwise provided in this
13 section. All volunteer personnel for any volunteer fire station
14 shall serve at the pleasure of the fire chief.

15 The fire chief of the county shall have full authority and
16 control over all volunteer fire stations, their equipment,
17 apparatus, officers, firefighters, and personnel, and the fire



1 chief may designate a suitable person to be in charge of any
2 volunteer fire station. Suitable instructors may be assigned
3 from time to time by the fire chief to such fire stations for
4 the training of volunteer firefighters and personnel.

5 In case any person serving in the capacity of volunteer
6 personnel for the fire station, including a volunteer officer or
7 firefighter, sustains any injury or dies as a result of any
8 accident arising out of and in the course of training, or the
9 performance of duty for such fire station, the person shall be
10 entitled to the benefits provided for volunteer personnel in
11 part V of chapter 386, and be considered to be an employee of
12 the county for the purpose of obtaining compensation benefits
13 under chapter 386. Compensation benefits shall be determined
14 upon the basis of average weekly wages computed as set forth in
15 section 386-51, and upon the basis of earnings from the usual
16 employment of the person, or upon the basis of earnings at the
17 ~~[rate of \$18 per week,]~~ equivalent firefighter pay based on
18 years of service and rank, whichever is most favorable to the
19 claimant or claimants. The director of labor and industrial
20 relations shall administer the provisions hereof in accordance
21 with section 386-172.



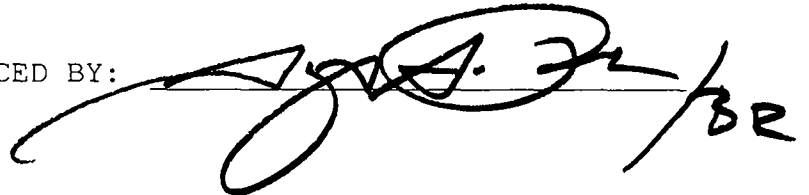
1 Any provision to the contrary notwithstanding, volunteer
2 personnel, including officers and firefighters, shall be
3 entitled to subsistence in amounts deemed proper by the council
4 of the respective counties."

5 SECTION 2. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

11
INTRODUCED BY:





S.B. NO. 2464

Report Title:

Volunteer Firefighters; Compensation Benefits; Method of Calculation

Description:

Requires compensation benefits for volunteer firefighters who are injured or killed in the line of duty to be determined based on equivalent firefighter pay based on years of service and rank, rather than on a rate of \$18 per week.

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