STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 06 , 2023

RE: H.B. No. 57 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Labor & Government Operations, to which was referred H.B. No. 57 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize wages of other employees in comparable employment to be considered when computing the average weekly wages of an injured public board member, reserve police officer, police chaplain, reserve public safety law enforcement officer, sheriffs' chaplain, volunteer firefighter, volunteer boating enforcement officer, or volunteer conservation and resources enforcement officer; and
- (2) Clarify the computation of average weekly wages of an injured volunteer firefighter for workers' compensation benefits purposes.

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

Your Committee finds that this measure will provide greater flexibility in computing the average weekly wages of an individual

serving in the above capacities when injured and afford the injured individual benefits that may be better aligned with the services performed.

Your Committee has amended this measure by:

- (1) Adding a savings clause;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

While your Committee amended this measure to add a savings clause, your Committee acknowledges that the actual intent of the amendment was to have this measure impact a larger number of injured individuals. Your Committee, therefore, requests that, should your Committee on Consumer Protection & Commerce decide to hear this measure, it consider deleting the savings clause and inserting a retroactive effective date of September 1, 2021.

As affirmed by the record of votes of the members of your Committee on Labor & Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 57, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 57, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Labor & Government Operations,

SCOT Z. MATAYOSHI, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 39

Record of Votes of the Committee on Labor & Government Operations

Bill/Resolution No.: AB 57	Committee Referral: LGO, CPC, 1	Date:	1/31/2	3
☐ 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)				
LGO Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	V			
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2. GARRETT, Andrew Takuya (VC)				
3. KAPELA, Jeanne				
4. MARTINEZ, Rose	V			
C CANAMA T. L. D				
5. SAYAMA, Jackson D.	\checkmark			
6. TAM, Adrian K.			<u>a agrapa, agamenta agrapa de sa Santa da Car</u>	
7. ALCOS III, David	V			
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TOTAL (7)	7			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				