

JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LIEUTENANT GOVERNOR



JADE T. BUTAY  
DIRECTOR

WILLIAM G. KUNTSMAN  
DEPUTY DIRECTOR

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
KA 'OIHANA PONO LIMAHANA

February 9, 2023

To: The Honorable Mark M. Nakashima, Chair,  
The Honorable Jackson D. Sayama, Vice Chair, and  
Members of the House Committee on Consumer Protection and  
Commerce

Date: Thursday, February 9, 2023

Time: 2:00 p.m.

Place: Via Videoconference and Conference Room 329, State Capitol

From: Jade T. Butay, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: H.B. 57 HD1 RELATING TO WORKERS' COMPENSATION**

**I. OVERVIEW OF PROPOSED LEGISLATION**

**The DLIR supports this proposal.** HB57HD1 proposes to amend Section 46-13.1, Hawaii Revised Statutes (HRS) to provide for volunteer firefighters' average weekly wages to be computed pursuant to Section 386-181(c). The bill also proposes to directly amend Section 386-181(c)(3), HRS to allow 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.

HB57HD1 proposes to add a savings clause where the Act will not affect the rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

**II. CURRENT LAW**

Section 386-181(c)(3) specifically states that wages of other employees in comparable employment shall not be considered.

**III. COMMENTS ON THE HOUSE BILL**

DLIR supports the proposal and believes that injured public board members, reserve police officers, police chaplains, reserve public safety law enforcement officers, sheriffs' chaplains, volunteer firefighters, volunteer boating enforcement officers, or volunteer conservation and resources enforcement officers be afforded all benefits to which they are entitled.

The DLIR does not have a position on the addition of the savings clause.