

STAND. COM. REP. NO.

39

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

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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



