

A Bill for an Act Relating to Workers' Compensation Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Subpart C of part V of chapter 386, Hawaii Revised Statutes, is amended to read as follows:

"C. PUBLIC BOARD MEMBERS, RESERVE POLICE OFFICERS, [AND] VOLUNTEER FIREFIGHTERS, VOLUNTEER BOATING ENFORCEMENT OFFICERS, AND VOLUNTEER CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS

§386-181 Generally. (a) [Definitions as] As used in this section, "public board" means a governmental body, regardless of its designation, duly created under authority vested by law for the purposes of performing quasi-judicial, administrative, or advisory functions[.]; "reserve police officer" means a member of an authorized reserve force of a county police department who performs services in a voluntary and unpaid capacity under the authorized direction of an officer of [said] the department[.]; "volunteer firefighter" means a person who performs services for a county fire department in a voluntary and unpaid capacity under the authorized direction of an officer of [said] the department[.]; "volunteer boating enforcement officer" means a member of the authorized volunteer enforcement force of the harbors division, department of transportation, who performs services in a voluntary and unpaid capacity under the authorized direction of an officer of the department; and "volunteer [deputy fish and game warden] conservation and resources enforcement officer" means a member of the authorized volunteer enforcement force of the division of [fish and game,] conservation and resources enforcement, department of land and natural resources, State of Hawaii, who performs services in a voluntary and unpaid capacity under the authorized direction of an officer of [said] the department.

(b) Benefits of injured board members, reserve police officers, volunteer firefighters, volunteer boating enforcement officers, and volunteer [deputy fish and game wardens.] conservation and resources enforcement officers. If a member of a public board, a reserve police officer, a volunteer firefighter, a volunteer boating enforcement officer, or a volunteer [deputy fish and game warden] conservation and resources enforcement officer is injured while performing services for the board, county police department, county fire department, harbors division of the department of transportation, or division of [fish and game,] conservation and resources enforcement of the department of land and natural resources, under the conditions specified in section 386-3, [he or his] the person or the person's dependents shall be entitled to all compensation in the manner provided by this chapter and, for [its purpose] the purposes of this chapter, the [member] person shall, in every case, be deemed to have earned wages for the services.

(c) Computation of average weekly wages. In computing the average weekly wages of an injured public board member, reserve police officer, volunteer firefighter, volunteer boating enforcement officer, or volunteer

[deputy fish and game warden:] conservation and resources enforcement officer.

- (1) [His] The person's income from self-employment shall be considered wages;
- (2) [He] The person shall, in no event, be considered to have earned less than the minimum hourly wage prescribed in chapter 387;
- (3) Wages of other employees in comparable employment shall not be considered;
- (4) Section 386-51(5) shall not apply; and
- (5) All provisions of section 386-51 not inconsistent herewith shall apply."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 31, 1987.)