

A Bill for an Act Relating to Workers' Compensation.

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

SECTION 1. Section 386-41, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Weekly benefits for dependents. In addition, the employer shall pay weekly benefits to the deceased’s dependents at the percentages of the deceased’s average weekly wages specified below, taking into account not more than the maximum weekly benefit rate prescribed in section 386-31 divided by [.667] .6667 and not less than the minimum prescribed in [said] the section divided by [.667.] .6667.

To the dependent widow or widower, if there [be] are no dependent children, fifty per cent.

To the dependent widow or widower, if there [be] are one or more dependent children of the deceased, sixty-six and two-thirds per cent. The compensation to the widow or widower shall be for the use and benefit of the widow or widower and of the dependent children, and the director of labor and industrial relations [may] from time to time may apportion the compensation between them in such way as the director deems best.

If there [be] is no dependent widow or widower, but a dependent child, then to the child forty per cent, and if there [be] are more than one dependent child, then to the children in equal parts sixty-six and two-thirds per cent.

If there [be] is no dependent widow, widower, or child, but there [be] is a dependent parent, then to the parent, if wholly dependent fifty per cent, or if partially dependent twenty-five per cent; if both parents [be] are dependent, then one-half of the foregoing compensation to each of them; if there [be] is no dependent parent, but one or more dependent grandparents, then to each of them the same compensation as to a parent.

If there [be] is no dependent widow, widower, child, parent or grandparent, but there [be] is a dependent grandchild, brother, or sister, or two or more of them, then to [such] those dependents thirty-five per cent for one dependent, increased by fifteen per cent for each additional dependent, to be divided equally among the dependents if more than one.”

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 Statutory material to be repealed is bracketed.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 April 30, 1991.)