

STAND. COM. REP. NO.

352

Honolulu, Hawaii

Feb 18, 2009

RE: H.B. No. 314

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 314 entitled:

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

begs leave to report as follows:

The purpose of this bill is to address the negative effect volcanic emissions have on an employee's ability to work by requiring the Department of Labor and Industrial Relations (DLIR) to develop rules for workers' compensation claims related to the exposure to vog.

The Mayor of the County of Hawaii, Councilmember for Council District 6 of the Hawaii County Council, Department of Research and Development of the County of Hawaii, Ka'u Farm Bureau, and several concerned individuals testified in support of this bill. DLIR, ILWU Local 142, and the Hawaii Insurers Council opposed this measure. The Councilmember for Council District 5 of the Hawaii County Council submitted comments.

Hawaii, particularly the island of Hawaii, has experienced significant episodes of high levels of volcanic emissions when a new vent opened in Halema'uma'u Crater in March of 2008. These periods of high emissions often result in a severely deteriorated air quality that causes residents and workers to experience respiratory ailments, headaches, and other illnesses. As a result, workers do not report for work or leave work early. This not only results in lost time at work but also results in lost income causing hardships for the employee. Rules to provide for

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vog related workers' compensation claims would go a long way to assisting these employees.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 314 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

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Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 314	Committee Referral: LAB, FIN	Date: 2-7-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.				/
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.				/
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.				/
12. PINE, Kymberly Marcos				/
TOTAL (12)	8	—	—	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
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