

LATE TESTIMONY

THE HOUSE OF REPRESENTATIVES
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009

COMMITTEE ON AGRICULTURE

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COMMITTEE ON TRANSPORTATION

Rep. Joseph M. Souki, Chair
Rep. Karen Lemani Awana, Vice Chair

Date: Saturday, February 7, 2009

Time: 9:00 a.m.

Place: Conference Room 325, State Capitol

TESTIMONY OF ILWU LOCAL 142

RE: HB 314, RELATING TO WORKERS' COMPENSATION

Thank you for the opportunity to present testimony regarding HB 314. We oppose this bill.

Chapter 386, Hawaii Revised Statutes already sets forth a comprehensive regulatory scheme that handles all work injuries or all kinds that occur in the State of Hawaii. Asking the Department of Labor and Industrial Relations to create special regulations for vog-related ailments cannot be lawfully be done by regulation but would require statutory amendment. Moreover, the department cannot restrict by regulation the nature and kind of medical problems which a Claimant can file, as this decision is exclusively that of the person alleging injury.

Conditions under which vog-related ailments can be granted or denied should, moreover, be no different from those which pertain to all other kinds of injuries. We therefore urge that HB 314 no be enacted.

LATE TESTIMONY

Right Honorable Members of the House

LAB Committee

Please accept this late testimony in support of

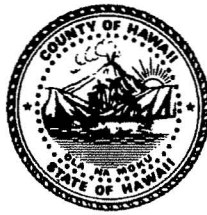
HB 314 Relating to Workers' Compensation and HB 315 Relating to volcanic Emissions.

Thank you and your committee for hearing these important bills affecting the workforce and residents of the Big Island.

On T. J.
Me Ke Aloha Pumehana.

(("1 of 16,588 local voices"))

William P. Kenoi
Mayor



William T. Takaba
Managing Director

Walter K.M. Lau
Deputy Managing Director

County of Hawai'i

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February 7, 2009

The Honorable Ryan I. Yamane, Chair
And Committee Members of the House Health Committee
The Honorable Jerry L. Chang, Chair
And Committee Members of the House Higher Education Committee
The Honorable Karl Rhoads, Chair
And Committee Members of the House Labor & Public Employment Committee
The Honorable Joseph M. Souki, Chair
And Committee Members of the House Transportation Committee
The Honorable Faye Hanohano, Chair
And Committee Members of the House Public Safety Committee
The Honorable Clift Tsuji, Chair
And Committee Members of the House Committee on Agriculture
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: House Bills 313, 318, 316, 312, 317, 314 and 315

Aloha, Chairpersons and Committee Members:

Thank you for this opportunity to provide comments in favor of these seven House Bills designed to cope with the health and economic effects from vog. We will provide more specific testimony on the individual bills, but please let me express my appreciation to members of the Legislature for addressing this serious problem that is affecting our people's lives and livelihoods.

As you know, sulfur dioxide emissions at the summit of Kilauea volcano began climbing in December 2007, and on March 12, 2008 increased sharply from the new vent at Halema'uma'u Crater. The trade winds have generally swept the gasses and acid rain southwest, causing major agricultural damage and particular hardship in communities such as Wood Valley, Hawaiian Ocean View Estates, Na'alehu and Pahala.

As you will hear today, crops have been damaged, agricultural infrastructure has deteriorated from the fumes, and people have become ill.

Ranchers, farmers and homeowners who have spent their lives building businesses and raising families in rural Ka'u, South Kona and Volcano have suddenly had to cope with completely unexpected economic losses and illnesses.

We deeply appreciate the efforts of Representative Herkes and all of the committee chairpersons and members in taking this time to search for the best methods of safeguarding the health of our Hawai'i Island residents, and the best ways to provide relief to businesses that are threatened by the increased emissions.

We particularly thank you for your willingness to address the problem in these difficult economic times, and welcome any assistance you can provide for our residents and for the many Hawai'i County agricultural operations that are trying to cope with this new threat.

Aloha,

Billy Kenoi

LATE TESTIMONY

AGR-HED-HLT-LAB-PBS-TRN Hearing
Saturday, February 7, 2009
9:00 am
State Capitol
CR 325

Testimony in support of:

HB 312
HB 313
HB 314
HB 315
HB 316
HB 317
HB 318

We are 100% on Bills 312,313,314,315,316,317 and 318.

Thank you for your time and efforts.

Don and Martie Nitsche
Ocean View Residents