

STAND. COM. REP. NO.

504

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 519

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committees on Economic Revitalization & Business and  
Labor & Public Employment, to which was referred H.B. No. 519  
entitled:

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

beg leave to report as follows:

The purpose of this bill is to exclude from the definition of  
"employment" under the workers' compensation law services  
performed for:

- (1) A limited liability company by a member who is an individual with a distributional interest of at least 50 percent in the company;
- (2) A partnership by an individual who is a partner of the partnership;
- (3) A limited liability partnership by an individual who is a partner of the limited liability partnership with a transferable interest in the partnership of at least 50 percent; and
- (4) A sole proprietorship by its sole proprietor.

The Chamber of Commerce of Hawaii, National Federation of Independent Business Hawaii, Retail Merchants of Hawaii, and a concerned individual supported this bill. ILWU Local 142 opposed this bill. A concerned individual submitted comments.

HB519 HSCR ERB-LAB HMS 2011-1860



As affirmed by the records of votes of the members of your Committees on Economic Revitalization & Business and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 519 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committees on Economic  
Revitalization & Business and  
Labor & Public Employment,



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KARL RHOADS, Chair

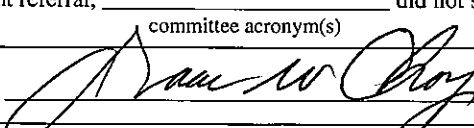


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ANGUS L.K. MCKELVEY, Chair

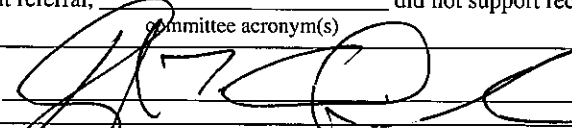


**Record of Votes of the Committee on Economic Revitalization & Business**

Bill/Resolution No.: <b>HB 519</b>	Committee Referral: <b>ERB/LAB, FIN</b>	Date: <b>2/3/11</b>		
<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)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	✓			
2. CHOY, Isaac W. (VC)	✓			
3. AWANA, Karen L.				✓
4. BROWER, Tom	✓			
5. EVANS, Cindy	✓			
6. HASHEM, Mark J.	✓			
7. NISHIMOTO, Scott Y.	✓			
8. TOKIOKA, James Kunane				✓
9. TSUJI, Clift	✓			
10. MARUMOTO, Barbara C.	✓			
11. PINE, Kymerly Marcos	✓			
<b>TOTAL (11)</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>2</b>
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: 				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				

*HS CR 504*

**Record of Votes of the Committee on Labor & Public Employment**

<b>Bill/Resolution No.:</b> <b>HB 519</b>	<b>Committee Referral:</b> <b>ERB/LAB, FIN</b>	<b>Date:</b> <b>2-3-11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
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<b>LAB Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.	/			
7. LUKE, Sylvia	/			
8. SAIKI, Scott K.				-
9. SOUKI, Joseph M.				-
10. TAKUMI, Roy M.				-
11. FONTAINE, George R.	/			
12. JOHANSON, Aaron Ling	/			
<b>TOTAL (12)</b>	<b>9</b>	<b>-</b>	<b>-</b>	<b>3</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) _____ did not support recommendation.				
<b>Vice Chair's or designee's signature:</b> 				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				