

STAND. COM. REP. NO. 780

Honolulu, Hawaii

March 8, 2011

RE: H.B. No. 527
H.D. 2

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 527, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill, as received by your Committee, is to disallow workers' compensation claims for injuries or illness incurred by an employee from voluntary participation in any activity, the major purpose of which is social or recreational, whether or not the employer pays some or all of the cost of the activity.

The City and County of Honolulu, Retail Merchants of Hawaii, Outrigger Hotels Hawaii, and a concerned individual testified in support of this bill. The Department of Labor and Industrial Relations and ILWU Local 142 testified in opposition to this measure.

Upon consideration, your Committee has amended this bill by deleting its substance and inserting the provisions in H.B. No. 527, the purpose of which is to disallow workers' compensation claims for the exacerbation of existing work-related injury through voluntary participation in recreational or social activity that takes place after regular work hours, and where the employee disregards the restrictions placed on the employee's physical activity in the activities, by the attending physician. Your

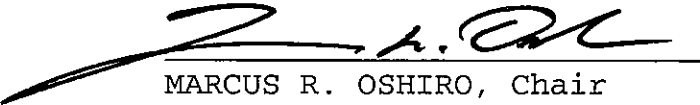
HB527 HD2 HSCR FIN HMS 2011-2679



Committee also amended this bill by changing its effective date to July 1, 2030, to encourage continued discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 527, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 527, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



MARCUS R. OSHIRO, Chair



