

STAND. COM. REP. NO.

1127

Honolulu, Hawaii

March 27, 2015

RE: S.B. No. 675
S.D. 2
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 675, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREFIGHTERS,"

begs leave to report as follows:

The purpose of this measure is to improve medical coverage for firefighters by providing for comprehensive medical coverage through workers' compensation benefits by establishing a rebuttable presumption that a firefighter who suffers from cancer, a blood-borne infectious disease, or exposure to biomedical substances, contracted the condition in the course of employment.

The Honolulu Fire Department; Maui Fire Department; Hawaii Fire Department; State of Hawaii Organization of Police Officers; and the Hawaii Fire Fighters Association, Local 1463, AFL-CIO supported this measure. The Hawaii Insurers Council opposed this measure. The Department of Labor and Industrial Relations; Department of Human Resources Development; and the Department of Human Resources of the City and County of Honolulu commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the workers' compensation benefits shall include one-hundred percent of the average weekly wages, disability indemnity, and death benefits;

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- (2) Specifying that the rebuttable presumption shall only be rebutted by a finding of substantial evidence to the contrary;
- (3) Removing the extension of the rebuttable presumption;
- (4) Removing the provision that bars compensation for an injury incurred through either wilful intention, non-work related physical altercation other than in self-defense; or intoxication;
- (5) Specifying the process and payment for a firefighter's referral to a medical specialist by a physician;
- (6) Changing the effective date to upon its approval; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 675, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 675, S.D. 2, H.D. 2.

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



KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

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Record of Votes of the Committee on Judiciary

Bill/Resolution No.: *SB 675, SD2, HD1* Committee Referral: *LAB, JUD, FIN* Date: *3/24/15*

The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	<i>✓</i>			
2. SAN BUENAVENTURA, Joy A. (VC)	<i>✓</i>			
3. BELATTI, Della Au				<i>✓</i>
4. BROWER, Tom	<i>✓</i>			
5. CREAGAN, Richard P.	<i>✓</i>			
6. HASHEM, Mark J.	<i>✓</i>			
7. KAWAKAMI, Derek S.K.				<i>✓</i>
8. LEE, Chris	<i>✓</i>			
9. MORIKAWA, Dee	<i>✓</i>			
10. NAKASHIMA, Mark M.	<i>✓</i>			
11. TAKAYAMA, Gregg	<i>✓</i>			
12. WOODSON, Justin H.				<i>✓</i>
13. MCDERMOTT, Bob	<i>✓</i>			
14. THIELEN, Cynthia	<i>✓</i>			
TOTAL (14)	<i>11</i>			<i>3</i>

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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