

**ACT 57**

H. B. 251.

A Bill for an Act Relating to the Workmen's Compensation Law and Amending Chapter 97, Revised Laws of Hawaii 1955.

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1.** This Act is hereby declared to be an urgency measure

deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

It has always been the objective of the state and county administrations to recruit the best qualified persons to serve on boards and commissions. In return for the dedicated service given by these individuals, it is only proper that they are provided for in the event of accidents while they are carrying out their voluntary duties. Therefore, it is urgent that members serving on boards and commissions be given full coverage under the workmen's compensation law.

SECTION 2. Part V of chapter 97, Revised Laws of Hawaii 1955, is hereby amended as follows:

1. By amending the title to read:

**"PART V. APPLICABILITY TO HAWAII GUARD, VOLUNTEER PERSONNEL AND PUBLIC BOARD MEMBERS"**

2. By adding the following:

**"C. PUBLIC BOARD MEMBERS**

§ 97-170. (a) Definition. As used in this section, 'public board' means a governmental body, regardless of its designation, duly created under authority vested by law for the purposes of performing quasi-judicial, administrative or advisory functions.

(b) Benefits of injured board members. If a member of a public board sustains a personal injury while performing services for the board under the conditions specified in section 97-3, he or his dependents shall be entitled to all compensation in the manner provided by this chapter and for its purpose the member shall, in every case, be deemed to have earned wages for the services.

(c) Computation of average weekly wages. In computing the average weekly wages of an injured public board member:

(1) his income from self-employment shall be considered wages;

(2) he shall, in no event, be considered to have earned less than the minimum hourly wage prescribed in chapter 94;

(3) wages of other employees in comparable employment shall not be considered;

(4) section 97-50(e) shall not apply; and

(5) all provisions of section 97-50 not inconsistent herewith shall apply."

SECTION 3. This Act shall take effect upon its approval.

(Approved May 9, 1968.)