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# A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 88-47, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) There shall be four classes of members in the system  
4 to be known as class A, class B, class C, and class H, defined  
5 as follows:

6           (1) Class A shall consist of:

7           (A) Judges, elected officials, and legislative  
8 officers;

9           (B) Investigators of the department of the attorney  
10 general, narcotics enforcement investigators,  
11 water safety officers not making the election  
12 under section 88-271, and public safety  
13 investigations staff investigators;

14           (C) Those members in service prior to July 1, 1984,  
15 including those who are on approved leave of  
16 absence, not making the election to become a  
17 class C member as provided in part VII or to  
18 become a class H member as provided in part VIII;



1 (D) The following members in service prior to  
2 July 1, 2006, including those who are on approved  
3 leave of absence, not making the election to  
4 become a class H member as provided in part VIII:  
5 [~~members~~]

6 (i) Members whose salaries are set forth in  
7 sections 26-52 and 26-53 and their county  
8 counterparts, managing directors or an  
9 administrative assistant to the mayor, other  
10 county department heads, and agency heads  
11 appointed and subject to removal by the  
12 mayor; [~~first~~]

13 (ii) First deputies appointed by the county  
14 attorney and prosecuting attorney; [~~the~~]

15 (iii) The county clerk and deputy county clerk of  
16 each county; [~~the~~]

17 (iv) The directors of the offices of council  
18 services of the county of Maui and the city  
19 and county of Honolulu;

20 (v) The administrative director of the courts;  
21 [~~the~~]



1 membership after June 30, 1957, but before  
2 January 1, 2004;

3 (2) Class B shall consist of:

4 (A) Police officers and firefighters, including  
5 former retirants who return to service in such  
6 capacity;

7 (B) All employees, including former retirants, who  
8 were members on July 1, 1957, who elected not to  
9 be covered by the Social Security Act; and

10 (C) All employees, including former retirants, in  
11 positions to which coverage under Title II of the  
12 Social Security Act is not extended, who enter  
13 membership after June 30, 1957, but before  
14 January 1, 2004, not making the election to  
15 become a class H member as provided in part VIII;

16 (3) Except for members described in paragraphs (1) and  
17 (2), class C shall consist of all employees, not  
18 making the election to become a class H member as  
19 provided in part VIII, who:

20 (A) First enter service after June 30, 1984, but  
21 before July 1, 2006;

1 (B) Reenter service after June 30, 1984, but before  
2 July 1, 2006, without vested benefit status as  
3 provided in section 88-96(b);

4 (C) Make the election to become a class C member as  
5 provided in part VII; or

6 (D) Are former class C retirants who return to  
7 service requiring the retirant's active  
8 membership; and

9 (4) Except for members described in paragraphs (1) and  
10 (2), class H shall consist of all employees who:

11 (A) First enter service after June 30, 2006;

12 (B) Reenter service after June 30, 2006, without  
13 vested benefit status as provided in  
14 section 88-96(b);

15 (C) Make the election to become a class H member as  
16 provided in part VIII; or

17 (D) Are former class H retirants who return to  
18 service requiring the retirant's active  
19 membership."

20 SECTION 2. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

22 SECTION 3. This Act shall take effect on July 1, 2006.

SB2274,SD1.HD2,CD1

**Report Title:**

ERS; Directors of Council Services for Maui and Honolulu

**Description:**

Includes the directors of the offices of council services of the counties of Maui and Honolulu in class A membership if the member was in service prior to July 1, 2006. (CD1)

