

STAND. COM. REP. NO.

123

Honolulu, Hawaii

FEB 18 2009

RE: S.B. No. 876
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Labor, to which was referred S.B. No. 876
entitled:

"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT
SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the retirement date for ordinary disability retirement;
- (2) Clarify that a challenge to an application for disability retirement or accidental death benefits is considered a petition for a contested case hearing and not an appeal of a medical board's decision;
- (3) Allow for the payment of approved attorney's fees and costs in disability retirement and accidental death cases;
- (4) Clarify the maximum retirement allowance for certain members; and
- (5) Clarify the restoration of service credits for certain reemployed noncontributory members.

Testimony in support of this measure was submitted by the
Board of Trustees of the Employees' Retirement System. Copies of

2009-1104 SSCR SMA.doc



written testimony are available for review on the Legislature's website.

Your Committee finds that this measure provides necessary clarifications to existing laws relating to the Employees' Retirement System. Your Committee further finds that this measure will streamline administration of the Employees' Retirement System.

Your Committee has amended this measure to correct typographical errors and to correctly reflect the language in the Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 876, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 876, S.D. 1, and be referred to the Committee on Ways and Means.

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



DWIGHT Y. TAKAMINE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* SB 876	Committee Referral: LBR, WAM	Date: 7-12-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert				✓
HEE, Clayton	✓			
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes