STAND. COM. REP. NO.

Honolulu, Hawaji February 19

RE: H.B. No. 2314 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2314, H.D. 1, entitled:

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

begs leave to report as follows:

HB2314 HD1 HSCR JUD HMS 2016-2147

The purpose of this measure is to authorize forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

The Employees' Retirement System supported this measure.

Your Committee notes the concerns raised through discussion in the public hearing on this measure regarding the potential deprivation of member benefits from beneficiaries and notes that the court may take these undue hardships into consideration when issuing an order. Should your Committee on Finance deliberate on this measure further, your Committee respectfully requests that it consider allowing a judge to base an order affecting a member's benefits on when the crime at issue was committed rather than upon the time of the conviction.

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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 H.B. No. 2314, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

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KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature

HOOR 606-16

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2314, HD 1	Commit LAP	tee Referral: 3. JUD, F	Date:	02/18/	Ϊlω
The committee is reconside		•	_*(
The recommendation is to:	Pass, unamended Pass short form		ss, with amendments (mmit for future public		
JUD Mem	ibers	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)					
2. SAN BUENAVENTURA, Joy A. (VC)		/			
3. BELATTI, Della Au					
4. BROWER, Tom					
5. CREAGAN, Richard	P				
6. HASHEM, Mark J.					
7. KAWAKAMI, Derek	S.K.				
8. LEE, Chris					
9. MORIKAWA, Dee					
10. NAKASHIMA, Mark	M.				
11. TAKAYAMA, Gregg					
12. WOODSON, Justin H	ĺ				
13. McDERMOTT, Bob					
14. THIELEN, Cynthia					
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TOTAL (14)		13			/
The recommendation is:	Adopted If joint referral,	In Not Adopted val, did not support recommendation. committee acronym(s)			
Vice Chair's or designee's sig	nature:	z V A	3		
Distribution: Original (Whit	ē) – Committee	Suplicate (Yellow) -	- Chief Clerk's Office	Duplicate (Pink) – HMSO