

Honolulu, Hawaii

APR 26 '2019

RE:

H.B. No. 981

H.D. 1 S.D. 1 C.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 981, H.D. 1, S.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish a clear statutory basis for the recovery of overpayments of Employees' Retirement System (ERS) benefits by:

- (1) Specifying that overpayments of refunds and retirement benefits constitute a debt due and owing to the ERS by recipients of the overpayments;
- (2) Requiring the ERS to adopt and enforce rules as necessary for the recovery of retirement benefit overpayments; and

(3) Enabling the ERS Board of Trustees or the ERS Executive Director to waive the recovery of retirement benefit overpayments in cases of bona fide hardship or where the costs of recovery would exceed the amount expected to be recovered.

Your Committee on Conference has amended this measure by changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 981, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 981, H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

BRIAN T. TANIGUCHI

Chair

GILBERT S.C. KEITH-AGARAN

Co-Chair

AARON LING JOHANSON

Co-Chair

STACELYNN K. M. ELI

Co-Chair

Hawaii State Legislature

CCR 180

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 981, HD 1, SD 1					Date/Time: 4/23/19 2:56 PM				
The recommendation of the House and Senate managers is to pass with amendments (CD).									
The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure				The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A,	WR	N	Е	House Managers	Α,	WR	N	Е
TANIGUCHI, Brian T., Chr.					JOHANSON, Aaron Ling, Co-Chr.		,		
KEITH-AGARAN, Gilbert S.C., Co-Chr.					ELI, Stacelynn K.M., Co-Chr.				
FEVELLA, Kurt	\checkmark				MATSUMOTO, Lauren	V			
							-		
TOTAL	3	0	٥	0	TOTAL	3	0	0	0
A = Aye $WR = Aye$ with Reservations $N = Nay$ $E = Excused$									
Senate Recommendation is: Adopted Not Adopted					House Recommendation is: Adopted Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
Schiate Dead Chair's of Designed's Signature.					House Lead Chair's of Designee's Signature.				
Distribution: Yellow Pink Goldenrod File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency									