

STAND. COM. REP. NO.

1084

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 211
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 211, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to ensure that employment, work, and pay that are eligible for the purpose of calculating public employee retirement benefits include retroactive reinstatement, retroactive rescission of suspension, retroactive pay differential, and back pay that are restored to an employee pursuant to a final adjudication of a court of competent jurisdiction.

Your Committees received written comments in support of this measure from the Department of Human Resources of the City and County of Honolulu, Hawaii Fire Fighters Association, Hawaii Government Employees Association, Hawaii State Teachers Association, State of Hawaii Organization of Police Officers, University of Hawaii Professional Assembly, and United Public Workers.

Your Committees received written comments on this measure from the Employees' Retirement System.



Your Committees find that including a public employee's retroactive reinstatement, retroactive rescission of suspension, retroactive pay differential, and back pay in determining retirement benefits is appropriate. Your Committee believes that enumerating this inclusion in statute will help to avoid potential uncertainties.

Your Committees have amended this measure by making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 211, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 211, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Judiciary,



KARL RHOADS, Chair

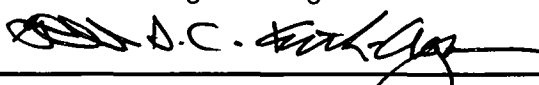


DONOVAN M. DELA CRUZ, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i


Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 211 SDI	Committee Referral: LBT, WAM/JDC	Date: 3/1/23		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt			X	
TOTAL	12		1	
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

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 211501	LBT, WAM/JDC	3/1/23		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod <input checked="" type="checkbox"/> File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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