

STAND. COM. REP. NO. 1230

Honolulu, Hawaii

MAR 22 2023

RE: H.B. No. 1014
H.D. 1
S.D. 1

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

Sir:

Your Committee on Labor and Technology, to which was referred H.B. No. 1014, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to clarify the conditions under which service-connected disability and accidental death benefits are provided to members of the Employees' Retirement System.

Your Committee received testimony in support of this measure from the Employees' Retirement System.

Your Committee finds that the purpose of the State's service-connected disability retirement and accidental death provisions is to provide a unique set of benefits to compensate members in hazardous occupations who have incurred certain permanent injuries while in the performance of their duties, accidental death in the performance of their duties, and for the cumulative impact of exposure to occupational hazards. However, recent court rulings have awarded service-connected disability retirement and accidental death provisions in a similar manner as service retirement, ordinary disability retirement, ordinary death benefits, workers' compensation, and social security disability

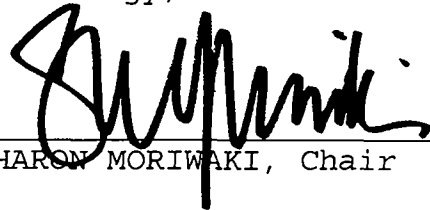


benefits. Not only is this interpretation of the State's service-connected disability retirement and accidental death provisions beyond the Legislature's intent, but the awards under this interpretation are increasing the unfunded liabilities of the State. Your Committee further finds that this measure will not affect the current provision of service-connected disability retirement and accidental death benefits to existing members of the Employees' Retirement System.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1014, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1014, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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




SHARON MORIWAKI, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:* HB1014 HDI	Committee Referral: LBT, JDC/WAM	Date: 3/17/23		
<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
MORIWAKI, Sharon Y. (C)	x			
LEE, Chris (VC)	x			
IHARA, Jr., Les	x			
KEITH-AGARAN, Gilbert S.C.				x
FEVELLA, Kurt				x
TOTAL	3			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