

ACT 349

H.B. NO. 1459

A Bill for an Act Relating to the Employees' Retirement System.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 88-24, Hawaii Revised Statutes, is amended to read as follows:

“§88-24 Composition of board. The board of trustees shall consist of [seven] eight members as follows:

- (1) The director of finance of the State, ex officio;
- (2) [Three] Four members of the system, two of whom shall be general employees [and], one of whom shall be a teacher, and one of whom shall be a retirant to be elected by the members and retirants of the system under [the] rules [and regulations] adopted by the board governing the election to serve for terms of six years each, one of the terms to expire on January 1 of each even-numbered year; provided that, if after the close of filing of petitions for candidacy, a member is unopposed for election to a trustee position, the member shall be deemed and declared to be duly and legally elected to the position of trustee without an election; and
- (3) Three citizens of the State who are not employees, one of whom shall be a responsible officer of a bank authorized to do business within the State, or a person of similar experience, to be appointed by the governor, with the advice and consent of the senate, to serve for a term of six years each, one of the terms to expire January 1 of each odd-numbered year.

Each trustee shall serve until the trustee's successor is elected or appointed, as the case may be, and qualified. For the purpose of this section, the term "general employees" includes police officers and firefighters."

SECTION 2. Section 88-28, Hawaii Revised Statutes, is amended to read as follows:

"§88-28 Voting; rules. Each trustee shall be entitled to one vote on the board of trustees. [Four] Five concurring votes shall be necessary for a decision by the trustees at any meeting of the board.

Subject to the limitations of this part, the board [shall], from time to time, shall establish rules [and regulations] for the administration of the funds of the system and for the transaction of its business."

SECTION 3. To ensure that there is a smooth transition when the composition of the existing board of trustees is altered, as provided by this Act, the employees' retirement system shall review the situation and make findings and recommendations to the legislature at least twenty days before the convening of the regular session of 1994.

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act, upon its approval, shall take effect on July 1, 1994; provided further that section 3 shall take effect upon approval.

(Approved July 1, 1993.)