

STAND. COM. REP. NO. 1076

Honolulu, Hawaii

MAR 23 2021

RE: S.C.R. No. 195
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.C.R. No. 195 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES
CONGRESS TO AMEND THE UNITED STATES CODE TO PERMIT ALL
RETIRED, DISABLED VETERANS TO RECEIVE CONCURRENT RETIREMENT
AND DISABILITY PAYMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to urge the United
States Congress to amend the United States code to permit all
retired disabled veterans to receive concurrent retirement and
disability payments.

Your Committee received testimony in support of this measure
from three individuals.

Your Committee finds that under federal law, the phrase
"concurrent retirement and disability payments" refers to a
retired disabled veteran's simultaneous receipt of the veteran's
full retirement payments and disability compensation. Prior to
implementation of the concurrent retirement and disability
payments program, the retirement payments for all retired disabled
veterans were offset by the amount of disability compensation
received by the veteran. The National Defense Authorization Act
of Fiscal Year 2004 amended 10 United States Code section 1414 to
permit retired disabled veterans who served in the armed forces

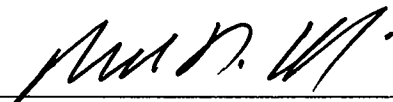


for twenty or more years and have a United States Department of Veterans Affairs disability rating at or above fifty percent to receive concurrent retirement and disability payments. However, the retirement payments for retired disabled veterans who are ineligible for concurrent retirement and disability payments continue to be offset by the amount of disability compensation received by the veteran. This measure requests the United States Congress to provide all retired, disabled veterans with concurrent retirement and disability compensation regardless of their disability rating or years of service.

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 Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 195, as amended herein, and recommends that it be referred to your Committee on Judiciary, in the form attached hereto as S.C.R. No. 195, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,




CLARENCE K. NISHIHARA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:
SCR 195	PSM, JDC	3/23/2021
<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	
NISHIHARA, Clarence K. (C)	/	
ENGLISH, J. Kalani (VC)		/
BAKER, Rosalyn H.	/	
RIVIERE, Gil	/	
FEVELLA, Kurt	/	
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 File with Committee Report Clerk's Office Drafting Agency Committee File Copy		

*Only one measure per Record of Votes