

Honolulu, Hawaii

APR 28 2023

RE: S.B. No. 211
S.D. 2
H.D. 2
C.D. 1

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 211, S.D. 2, H.D. 2, 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 ensure that employment, work, and pay eligibility for the purpose of calculating retirement benefits includes retroactive reinstatement, retroactive rescission of suspension, and retroactive payments that are restored to an employee as part of a judicial, administrative, or arbitral proceeding, or pursuant to a settlement of claims.

Your Committee on Conference finds that this measure seeks to codify the long-standing practice of the Employees' Retirement System of crediting a public employee's retroactive reinstatement, retroactive rescission of suspension, and retroactive payments for



service credits and retirement benefits determination purposes. This measure will help to avoid potential uncertainties in the calculations of these amounts.

Your Committee on Conference has amended this measure by:

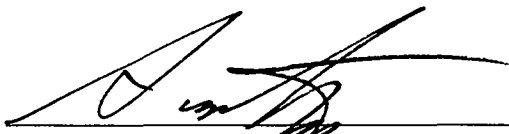
- (1) Deleting language that made the definition of "final resolution of claims" apply to actions that became final on or after the effective date of this measure; and
- (2) Making it effective upon its approval.

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 S.B. No. 211, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 211, S.D. 2, H.D. 2, C.D. 1.

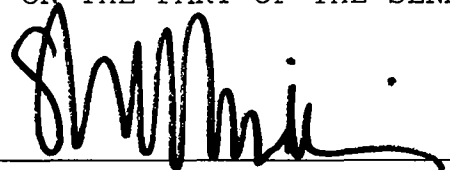
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

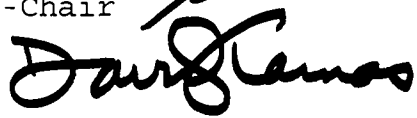
ON THE PART OF THE SENATE



SCOT Z. MATAYOSHI
Co-Chair




SHARON MORIWAKI
Chair



DAVID A. TARNAS
Co-Chair



GILBERT S.C. KEITH-AGARAN
Co-Chair



ANDREW GARRETT
Co-Chair



KARL RHOADS
Co-Chair



Hawai'i State Legislature

CC2113

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 211, SD 2, HD 2	Date/Time: 4/28/23 10:40am
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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

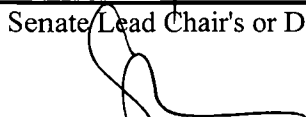
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

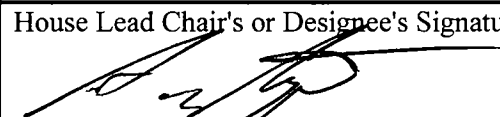
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
MORIWAKI, Sharon Y., Chr.	X				MATAYOSHI, Scot Z., Co-Chr.	X			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	X				TARNAS, David A., Co-Chr.	X			
RHOADS, Karl, Co-Chr.	X				GARRETT, Andrew Takuya, Co-Chr.	X			
IHARA, JR., Les	X				ALCOS III, David	X			
TOTAL	4				TOTAL	4			

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:


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