

## NOTICE OF PUBLIC HEARING

### EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII

#### PROPOSED HAWAII ADMINISTRATIVE RULEMAKING

Pursuant to Chapter 91, Hawaii Revised Statutes, notice is hereby given that the Employees' Retirement System of the State of Hawaii ("ERS") will hold a public hearing to receive oral or written testimony, data, views, or arguments from all interested persons, regarding a proposed new chapter to Title 6, Hawaii Administrative Rules ("HAR"):

The topic of the Proposed HAR Chapter 6-40, titled "Hawaii Domestic Relations Orders" is to adopt rules for the Employees' Retirement System of the State of Hawaii ("ERS") to implement and administer §88-93.5, Hawaii Revised Statutes, entitled "Distribution of property in a divorce action." The proposed rules will govern the ERS's review, qualification, and compliance with proposed or court-issued Hawaii Domestic Relations Orders ("HiDROs"). HiDROs will direct the ERS to disburse portions of retirement-related benefits to "alternate payees" (spouses or former spouses of ERS members or retirants). The subjects of the proposed rules are generally summarized as follows:

- 1) General provisions for review, qualification and implementing a HiDRO, including definitions; specification of amount or percentage to be paid to an alternate payee, or the manner in which the amount or percentage is to be determined; requests by alternate payees for information; responsibilities of the alternate payees to the ERS;
- 2) Forms, procedures and fees for review of domestic relations orders for qualification as HiDROs; and
- 3) Procedures for payments pursuant to HiDROs and priority among multiple HiDROs.

The public hearing will be held on January 6, 2020, at 9:00 a.m. at City Financial Tower, 201 Merchant Street, Suite 1400, Honolulu, Hawaii.

All interested persons are invited to attend the hearing and to state their views relative to the proposed rules, either orally or in writing. Written testimony must be provided to the presiding officer at the public hearing, or mailed and delivered before the start of the hearing to the Employees' Retirement System of the State of Hawaii, City Financial Tower, 201 Merchant Street, Suite 1400, Honolulu, HI 96813-2980. Testimony may be emailed to [dbf.ers.sss@hawaii.gov](mailto:dbf.ers.sss@hawaii.gov) (Subject: HiDRO).

The proposed rules will be available for viewing and download free of charge on the internet at the following website: <http://ers.ehawaii.gov/resources/all-publications#HAR>. To request a copy to be mailed free of charge, call (808) 586-1735. The proposed rules may be reviewed in person Monday through Friday, from the date of this notice to January 6, 2020, between the hours of 7:45 a.m. and 4:30 p.m. (except holidays) at all ERS branch offices including the neighbor islands, at the following locations.

**Oahu:** See address above

**Hawaii Island:** 101 Aupuni Street, Ste. 208, Hilo

**Kauai:** 3060 Eiwa Street, Rm. 302, Lihue

**Maui:** 54 S. High Street, Rm. 218, Wailuku

Requests for auxiliary aids or services or assistance due to a disability must be received by the Employees' Retirement System by December 24, 2019. Please call 808-586-1735 or email [dbf.ers.sss@hawaii.gov](mailto:dbf.ers.sss@hawaii.gov) (Subject: HiDRO). If a request is received after December 24, 2019, we will try to obtain the auxiliary aid/service or assistance but cannot guarantee that the request will be fulfilled.

Emmit Kane, Chair  
Board of Trustees  
Employees' Retirement System of the State of Hawaii