

MINUTES OF THE MEETING OF THE  
LEGISLATIVE COMMITTEE OF THE  
BOARD OF TRUSTEES OF THE  
EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII

JANUARY 31, 2023

CITY FINANCIAL TOWER  
201 MERCHANT STREET, SUITE 1200  
HONOLULU, HAWAII 96813

Trustees present: Mr. Emmit Kane, Chair (former), Vice Chair (elected)  
(by teleconference) Dr. Genevieve Ley  
Mr. Bennett Yap, Chair (elected)

Trustee absent: Dr. Catherine Chan

Staff present: Mr. Thomas Williams, Executive Director  
(City Financial Tower Ms. Kristin Varela, Chief Investment Officer  
by teleconference) Mr. Howard Hodel, Deputy Chief Investment Officer  
Mr. Kona Mann, Chief Compliance Officer  
Mr. Bart Asato, Program Specialist  
Ms. Shanna Sakagawa, Program Specialist  
Ms. Dale Kehau Kanae, Recording Secretary  
Ms. Lori Kim, Secretary

Attorney present: Ms. Lori Tanigawa, Deputy Attorney General  
(by teleconference) Ms. Elmira Tsang, Deputy Attorney General  
Ms. Diane Wong, Deputy Attorney General

QUORUM/CALL TO ORDER

A quorum being present (Chair Kane, Trustees Ley and Yap), Chair Kane called the meeting of the Legislative Committee (Committee) of the Board of Trustees (Board) of the Employees' Retirement System of the State of Hawaii (ERS) to order at 1:00 p.m. and requested each Trustee identify themselves and confirm that they are the only ones present at their remote location while attending the meeting. Each of the Trustees present confirmed same.

On a motion made by Trustee Ley, seconded by Trustee Yap, and unanimously carried, the Committee voted to hold a meeting a meeting allowing Trustees and members of the public to participate by interactive conference technology, pursuant to HRS §92-3.7, with at least one meeting location open to the public that has audiovisual connection.

Chair Kane reminded the Committee to please be sure that they are visible on their video cameras and that they remain on while the meeting is in session.

PUBLIC COMMENT

Chair Kane called for public comment. There were no members of the public present, in person, or by teleconference, therefore no public comment. There was also no written public testimony received for this Committee meeting.

DISCUSSION AND  
ELECTION OF CHAIR AND  
VICE CHAIR OF THE  
LEGISLATIVE COMMITTEE,

Chair Kane asked the Committee for nominations for Chair and Vice Chair of the Legislative Committee. Trustee Ley nominated Trustee Yap as Chair and Chair Kane as Vice Chair. There were no other nominations.

REVIEW AND DISCUSS THE  
LEGISLATIVE COMMITTEE  
CHARTER TO INCLUDE  
LEGISLATIVE COMMITTEE  
PERFORMANCE  
ASSESSMENT, AND REVIEW  
OF PRIOR YEAR'S  
LEGISLATIVE COMMITTEE  
ACTIVITIES

LEGISLATIVE PROPOSALS  
RELATING TO THE  
EMPLOYEES' RETIREMENT  
SYSTEM FOR THE 2023  
LEGISLATIVE SESSION FOR  
RECOMMENDATION TO THE  
BOARD OF TRUSTEES

On a motion made by Trustee Ley, seconded by Chair Kane, and unanimously carried, Trustee Yap was elected Chair and Chair Kane was elected Vice Chair of the Legislative Committee.

Newly elected Chair Yap presided over the remainder of the meeting.

Chair Yap then discussed and presented the Legislative Committee Charter (Charter) asking the Committee if they had any changes to the Charter. The Committee agreed that there were no changes to be made to the Charter. The Charter is attached to these minutes for clarification.

Newly elected Vice Chair Kane reported that with regard to the 2022 Legislative Committee Performance Assessment, the Committee, staff, and Board performed admirably.

Program Specialist (PS) Bart Asato discussed, as presented to the Committee, a Memorandum reviewing the activities from January to December 2022. The Committee had no further comments.

PS Bart Asato discussed with the Committee the list of ERS Initiated, Investment Related, Membership and Benefits Related, and Miscellaneous 2023 Legislative Bills as presented.

PS Asato further discussed in detail:

- HB 1013/SB 1311, Relating to the Repeal of Act 192, Session Laws of Hawaii 2007;
- HB 1014/SB 1312, Relating to Employees' Retirement System Disability Retirement (ERS Service-Connected Disability, Accidental Death).

PS Asato noted that HB 1014/SB 1312 was being re-introduced as it did not pass during the last two legislative sessions.

After review and discussion of the list of Bills, the Committee requested changes to the following ERS Positions:

Investment Related

- HB 1506, Relating to the ERS of the State of Hawaii (ERS, HiTIP, Investments, Reporting, Appropriation). Change from Oppose to MONITOR.

Membership and Benefits Related

- HB 101/SB 211, Relating to the ERS (City & County of Honolulu Package, Retirement Benefits, ERS). Change from Oppose as is, offer possible modifications to MONITOR;
- HB 1392, Relating to the ERS (ERS, Judges, Elected Officials, Legislative Officers). Change from Oppose to MONITOR.

Miscellaneous

- HB 1158, Relating to Government Records (Uniform Information Practices Act, Exceptions to Disclosure, Government Records, Working Group). Change from Support to COMMENTS.

LEGISLATIVE PROPOSALS  
RELATING TO THE  
EMPLOYEES' RETIREMENT  
SYSTEM FOR THE 2023  
LEGISLATIVE SESSION FOR  
RECOMMENDATION TO THE  
BOARD OF TRUSTEES  
(CONT'D)

DISCUSSION OF POTENTIAL  
LEGISLATIVE PROPOSALS  
RELATING TO THE  
EMPLOYEES' RETIREMENT  
SYSTEM FOR FUTURE  
LEGISLATION

UPDATE ON EMPLOYER  
REPORTING OF PAYROLL  
INFORMATION REQUIRED  
BY ACT 87, SLH 2015

PUBLIC COMMENT

APPROVAL OF MINUTES  
- FEBRUARY 7, 2022

ADJOURNMENT

**REDACTED SIGNATURE**

Thomas Williams  
Executive Director

TW:dkik

On a motion made by Vice Chair Kane, seconded by Trustee Ley, and unanimously carried, the Committee accepted and reaffirmed the ERS Initiated, Investment, Membership and Benefits, and Miscellaneous Related 2023 legislative Bills that included recommended positions to be taken by the Board with changes as noted, and will be re-presented to the Board for approval. The lists presented are attached with changes to these minutes for clarification.

Executive Director (ED) Williams discussed with the Committee that there were no potential legislative proposals by ERS staff for this session, however, he encouraged the Committee to consider legislative proposals for future consideration.

The Committee suggested considering possible legislation regarding adverse opinions and judgments of supreme court rulings as it relates to ERS. ERS staff will work on this with the Deputy Attorneys General.

PS Asato discussed with the Committee the Update on Employer Reporting for Compliance with HRS §88-103.7 (Act 87, SLH 2015) as presented.

Chair Yap Kane called for public comment. There were no members of the public present, in person, or by teleconference, therefore no public comment. There was also no written public testimony received for this Committee meeting.

On a motion made by Trustee Ley, seconded by Vice Chair Kane, and unanimously carried, the Committee approved the Minutes of the February 7, 2022, meeting as presented.

Former Chair, Vice Chair Kane shared with the Committee:

- Session started January 18, 2023, and will end on May 4, 2023;
- Last date for the Governor to veto is June 26, 2023, before it automatically becomes law on July 11, 2023;
- This is the first year of the biennium;
- New Governor, Lt. Governor, and cabinet members; and
- Legislatively there are 16 new House members, 6 new Senate members and new Committee Chairs.

ED Williams reminded the Committee that weekly legislative updates will be e-mailed to the Board from PS Asato, this may also help with ideas for suggested new legislation.

ED Williams also shared that Committee minutes are required to be posted 30 days after a meeting. The Committee and Board will need to consider the posting of draft minutes to meet compliance.

On a motion made by Trustee Ley, seconded by Vice Chair Kane, and unanimously carried, Chair Yap adjourned the meeting at 2:12 p.m.



# Employees' Retirement System of the State of Hawaii

## BOARD OF TRUSTEES

### LEGISLATIVE COMMITTEE CHARTER

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#### I. PURPOSE

The ~~purpose of the~~ Legislative Committee ("Committee") ~~is to carry out the responsibilities delegated by the Board of Trustees~~ of the Employees' Retirement System ("ERS") of the State of Hawaii ~~is a committee of the Board of Trustees~~ ("Board"). ~~Its primary function is~~ to assist the Board in fulfilling its fiduciary oversight responsibilities by reviewing and advising on recommendations on proposed legislation.

#### II. COMMITTEE MEMBERSHIP

The Committee shall consist of no fewer than three (3) trustees. The members of the Committee shall be appointed by the Board. The members of the Committee shall be appointed for a one-year term and shall serve for such term or terms as the Board may determine or until earlier resignation. The Board may remove any member from the Committee at any time with or without cause.

#### III. MEETINGS

The Committee shall meet at least one (1) time a year at such times and places as it deems necessary to fulfill its responsibilities. The Committee shall report regularly to the Board regarding its actions and make recommendations to the Board as appropriate. The Committee may invite such members of management and advisors to its meetings as it deems appropriate. The Committee shall review this Charter at least annually and recommend any proposed changes to the Board for approval.



**Employees' Retirement System of the State of Hawaii**  
**BOARD OF TRUSTEES**  
**LEGISLATIVE COMMITTEE CHARTER**

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**IV. AUTHORITY AND RESPONSIBILITIES**

The members of the Committee shall elect its Chairperson and Vice Chairperson.

The Committee shall have the following authority and responsibilities regarding ERS Legislation:

- To review and approve annually the ERS's goals and objectives applicable to the legislative process.
- To review proposed legislation introduced by the ERS and by other parties, and to assign and provide direction for the Executive Director and Deputy Executive Director on priorities and actions to successfully support the legislative goals and responsibilities of the ERS.
- To recommend support or opposition of proposed legislation to the full Board for its consideration.

**V. OUTSIDE ADVISORS**

The Committee shall have the authority, in its sole discretion, to obtain the advice of any ERS consultant or ERS service provider as necessary to assist with the execution of its duties and responsibilities as set forth in this Charter. The Committee shall have the authority, in its sole discretion, to obtain the advice and assistance of ERS's legal counsel and such other advisors as it deems necessary to fulfill its duties and responsibilities under this Charter. The Committee shall not be required to implement or act consistently with the advice or recommendations of its consultant, legal counsel or other advisor to the Committee, and the authority granted in this Charter shall not affect the ability or obligation of the Committee to exercise its own judgment in fulfillment of its duties under this Charter. The consultant(s), outside counsel and any other advisors retained by, or providing advice to, the Committee (other than the ERS's in-house counsel) shall be independent as determined in the discretion of the Committee.



**Employees' Retirement System of the State of Hawaii**  
**BOARD OF TRUSTEES**  
**LEGISLATIVE COMMITTEE CHARTER**

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**VI. PERFORMANCE EVALUATION**

The Committee shall conduct an annual evaluation of the performance of its duties under this charter and shall present the results of the evaluation to the Board. The Committee shall conduct this evaluation in such manner as it deems appropriate.

*Adopted and Approved by the Board of Trustees on February 13, 2017, August 10, 2020, April 11, 2022*  
*Accepted by the Governance Policy Committee: March 28, 2022, March 7, 2023*  
*Revised and Accepted by the Legislative Committee: August 10, 2020, February 7, 2022, January 31, 2023*

ERS Initiated as of 1/27/2023									
#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
1	<a href="#">HB1013</a>	Employees' Retirement System; Repeal; Act 192, Session Laws of Hawaii 2007	RELATING TO THE REPEAL OF ACT 192, SESSION LAWS OF HAWAII 2007.	Repeals Act 192, Session Laws of Hawaii 2007, which requires the Employees' Retirement System to divest itself of investments in companies that provide support for genocide in Darfur, Sudan, and provide annual reports to the legislature on the status of divestment.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)		SB1311	Support
2	<a href="#">HB1014</a>	Employees' Retirement System; Service-Connected Disability; Accidental Death	RELATING TO EMPLOYEES' RETIREMENT SYSTEM DISABILITY RETIREMENT.	Clarifies the Employees' Retirement System's eligibility requirement definitions for service-connected disability and accidental death benefits.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)		SB1312	Support
3	<a href="#">SB1311</a>	Employees' Retirement System; Repeal; Act 192, Session Laws of Hawaii 2007	RELATING TO THE REPEAL OF ACT 192, SESSION LAWS OF HAWAII 2007.	Repeals Act 192, Session Laws of Hawaii 2007, which requires the Employees' Retirement System to divest itself of investments in companies that provide support for genocide in Darfur, Sudan, and provide annual reports to the legislature on the status of divestment.	S 1/25/2023: Passed First Reading.	KOUCHI (Introduced by request of another party)		HB1013	Support
4	<a href="#">SB1312</a>	Employees' Retirement System; Service-Connected Disability; Accidental Death	RELATING TO EMPLOYEES' RETIREMENT SYSTEM DISABILITY RETIREMENT.	Clarifies the Employees' Retirement System's eligibility requirement definitions for service-connected disability and accidental death benefits.	S 1/25/2023: Passed First Reading.	KOUCHI (Introduced by request of another party)		HB1014	Support

Investment Related as of 1/27/2023									
5	<a href="#">HB1506</a>	Employees' Retirement System; HiTIP; Investments; Report; Appropriation	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII.	Requires the employees' retirement system, in evaluating venture capital investments, to consider opportunities in industries that will sustain Hawaii's natural environment or produce economic opportunities for its residents, including renewable energy businesses and businesses that use the investment capital to acquire the infrastructure and services needed to become energy sustainable. If the employees' retirement system board of trustees determines that it is not prudent to invest in any Hawaii venture capital meeting this description, requires the board to report the rationale for the decision in its annual report to the legislature. Appropriates funds to the Hawaii targeted investment program.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI, AMATO, BELATTI, COCHRAN, GANADEN, GARRETT, GATES, HUSSEY-BURDICK, ICHIYAMA, ILAGAN, KAHALOA, KAPELA, KILA, KITAGAWA, KOBAYASHI, LAMOSAO, LOWEN, MARTEN, MATAYOSHI, MIZUNO, MORIKAWA, NISHIMOTO, ONISHI, PERRUSO, POEPOE, TAKAYAMA, TAKENOUCHI, TAM, TARNAS, TODD			Oppose
6	<a href="#">SB423</a>	Coal; Oil; Gas Company Divestment; Fossil Fuel; ERS	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Requires the employees' retirement system to divest its investment portfolio of coal, oil, and gas companies within an unspecified number of years and to report certain information to the legislature.	S 1/25/2023: Referred to AEN/LBT, WAM.	GABBARD, RHOADS, SHIMABUKURO, Keith-Agaran	AEN/ LBT, WAM		Oppose

Monitor

#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
7	<a href="#">SB1227</a>	Employees' Retirement System; HiTIP; Investments; Report; Appropriation	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII.	Requires the employees' retirement system, in evaluating venture capital investments, to consider opportunities in industries that will sustain Hawaii's natural environment or produce economic opportunities for its residents, including renewable energy businesses and businesses that use the investment capital to acquire the infrastructure and services needed to become energy sustainable. If the employees' retirement system board of trustees determines that it is not prudent to invest in any Hawaii venture capital meeting this description, requires the board to report the rationale for the decision in its annual report to the legislature. Appropriates funds to the Hawaii targeted investment program.	S 1/25/2023: Passed First Reading.	KEITH-AGARAN			Oppose

Membership & Benefits Related as of 1/27/2023									
8	<a href="#">HB52</a>	Public Employment; Employees; COVID-19; Vaccination Policies; Emergency Proclamation; Reinstatement	RELATING TO PUBLIC EMPLOYMENT.	Requires state agencies to offer individuals who resigned or were dismissed from employment for not complying with vaccination or testing requirements the option to be reinstated, with back pay, to the position that person held prior to their termination.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	GARCIA	LGO, FIN	SB111	Monitor
9	<a href="#">HB101</a>	City and County of Honolulu Package; Retirement Benefits; ERS	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Clarifies that service and compensation awarded as part of an administrative, arbitral, or judicial proceeding are included in the calculation of retirement benefits and service time for the Employees' Retirement System.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	SAIKI (Introduced by request of another party)	LGO, FIN	SB211	Oppose as is; offer possible mods
10	<a href="#">HB103</a>	City and County of Honolulu Package; ERS; Reporting Standards; Final Specifications	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Allows departments and agencies time to comply with Employees' Retirement System reporting standards based on when final specifications are provided by the Employees' Retirement System.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	SAIKI (Introduced by request of another party)	LGO, FIN	SB213	Oppose as is; offer possible mods
11	<a href="#">HB112</a>	Maui County Council Package; ERS; Retirement Age	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Repeals the minimum age requirement for individuals who become an Employees' Retirement System member after 6/30/2012, and who have at least 25 years of credited service.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	SAIKI (Introduced by request of another party)	LGO, FIN	SB231	Oppose
12	<a href="#">HB115</a>	Hawaii State Association of Counties Package; ERS; Retirement Age	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Repeals the minimum age requirement for individuals who become an Employees' Retirement System member after 6/30/2012, and who have at least 25 years of credited service.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	SAIKI (Introduced by request of another party)	LGO, FIN	SB206	Oppose

Monitor



#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position	
13	<a href="#">HB387</a>	Employees' Retirement System; Police Officers; Retirement; Medical Coverage; Spousal Benefits; Minimum Age; Years of Credited Service	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Provides police officers who become members of the ERS after 6/30/2023 with retirement benefits similar to those provided for members of the ERS who became members before 7/1/2012, including but not limited to calculation of retirement allowance, minimum age or years of credited service requirements, and vesting period. Allows retired police officers hired after 6/30/01 to be treated as if employment began before 7/1/01 in order to maintain spousal health benefits.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	HASHIMOTO, AIU, HOLT, ILAGAN, KILA, LAMOSAO, QUINLAN, TODD, WOODSON	LGO, FIN	SB1158	Oppose	
14	<a href="#">HB902</a>	Department of Defense; State Activation; Active Duty Military Pay; Basic Allowance for Housing; Service Credit	RELATING TO ACTIVE DUTY MILITARY ENTITLEMENTS.	Requires the State to pay, without delay, military personnel called to active duty at the same rate as their active duty counterparts; provide basic housing allowance; provide service credit for time on active duty; and allow state and county employees to count the time called to active duty in the State toward retirement.	H 1/25/2023: Introduced and Pass First Reading.	HASHEM, CHUN, GANADEN, ICHIYAMA, TAKAYAMA		SB1161	Comments	
15	<a href="#">HB1392</a>	ERS; Judges; Elected Officials; Legislative Officers	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Requires that individuals who first begin employment as a judge, elected official, or legislative officer after 6/30/2023, be subject to the same Employees' Retirement System benefits as other state or county employees who began their employment after 6/30/2012.	H 1/25/2023: Introduced and Pass First Reading.	PIERICK, Alcos			Oppose	Monitor
16	<a href="#">SB111</a>	Public Employment; Employees; COVID-19; Vaccination Policies; Emergency Proclamation; Reinstatement	RELATING TO PUBLIC EMPLOYMENT.	Requires state agencies to offer individuals who resigned or were dismissed from employment for not complying with vaccination or testing requirements the option to be reinstated, with back pay, to the position that person held prior to their termination.	S 1/20/2023: Referred to LBT, JDC/WAM.	AWA, Aquino	LBT, JDC/WAM	HB52	Monitor	
17	<a href="#">SB206</a>	Hawaii State Association of Counties Package; ERS; Retirement Age	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Repeals the minimum age requirement for individuals who become an Employees' Retirement System member after 6/30/2012, and who have at least 25 years of credited service.	S 1/26/2023: The committee(s) on LBT has scheduled a public hearing on 01-30-23 3:00PM; Conference Room 224 & Videoconference.	KOUCHI (Introduced by request of another party)	LBT, WAM/JDC	HB115	Oppose	
18	<a href="#">SB211</a>	City and County of Honolulu Package; Retirement Benefits; ERS	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Clarifies that service and compensation awarded as part of an administrative, arbitral, or judicial proceeding are included in the calculation of retirement benefits and service time for the Employees' Retirement System.	S 1/23/2023: Referred to LBT, WAM/JDC.	KOUCHI (Introduced by request of another party)	LBT, WAM/JDC	HB101	Oppose as is; offer possible mods	Monitor
19	<a href="#">SB213</a>	City and County of Honolulu Package; ERS; Reporting Standards; Final Specifications	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Allows departments and agencies time to comply with Employees' Retirement System reporting standards based on when final specifications are provided by the Employees' Retirement System.	S 1/23/2023: Referred to LBT, WAM .	KOUCHI (Introduced by request of another party)	LBT, WAM	HB103	Oppose as is; offer possible mods	
20	<a href="#">SB231</a>	Maui County Council Package; ERS; Retirement Age	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Repeals the minimum age requirement for individuals who become an Employees' Retirement System member after 6/30/2012, and who have at least 25 years of credited service.	S 1/23/2023: Referred to LBT, WAM.	KOUCHI (Introduced by request of another party)	LBT, WAM	HB112	Oppose	

#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
21	<a href="#">SB787</a>	Employees' Retirement System Benefits; Retirement Benefits; Felony Conviction; Forfeiture	RELATING TO THE EMPLOYEES RETIREMENT SYSTEM.	Authorizes a court to order the forfeiture of all of the Employees' Retirement System (ERS) benefits of an ERS member, former member, or retirant upon conviction of the individual for a felony related to the State or county employment of the individual. Prohibits designated beneficiaries convicted of a felony under the same set of circumstances as the member, former member, or retirant who was subject to forfeiture of ERS benefits from receiving benefits.	S 1/25/2023: Referred to LBT, JDC/WAM.	DECOITE, CHANG, ELEFANTE, KIM, RHOADS, WAKAI, Kidani	LBT, JDC/WAM		Support
22	<a href="#">SB992</a>	Judges; Mandatory Retirement Age; Constitutional Amendment	PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES.	Proposes a constitutional amendment to increase the mandatory retirement age for justices and judges from seventy to seventy-five years of age.	S 1/27/2023: Referred to JDC, WAM.	RHOADS	JDC, WAM		Monitor
23	<a href="#">SB1158</a>	Employees' Retirement System; Police Officers; Retirement; Medical Coverage; Spousal Benefits; Minimum Age; Years of Credited Service	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.	Provides police officers who become members of the ERS after 6/30/2023 with retirement benefits similar to those provided for members of the ERS who became members before 7/1/2012, including but not limited to calculation of retirement allowance, minimum age or years of credited service requirements, and vesting period. Allows retired police officers hired after 6/30/01 to be treated as if employment began before 7/1/01 in order to maintain spousal health benefits.	S 1/23/2023: Passed First Reading.	KEITH-AGARAN, DELA CRUZ, MCKELVEY, SHIMABUKURO, Inouye		HB387	Oppose
24	<a href="#">SB1161</a>	Department of Defense; State Activation; Active Duty Military Pay; Basic Allowance for Housing; Service Credit	RELATING TO ACTIVE DUTY MILITARY ENTITLEMENTS.	Requires the State to pay, without delay, military personnel called to active duty at the same rate as their active duty counterparts; provide basic housing allowance; provide service credit for time on active duty; and allow state and county employees to count the time called to active duty in the State toward retirement.	S 1/23/2023: Passed First Reading.	KEITH-AGARAN, DECOITE, MCKELVEY		HB902	Comments

Miscellaneous as of 1/27/2023 (removed companion bills)									
25	<a href="#">HB40</a>	Mandatory Tax Credit; Emergency and Budget Reserve Fund; Other Post-Employment Benefits Trust Fund; Constitution; Appropriations	RELATING TO THE GENERAL FUND.	Provides a tax credit to taxpayers and makes deposits to the emergency and budget reserve fund and other post-employment benefits trust fund pursuant to article VII, section 6, of the Hawaii State Constitution. Appropriates funds.	H 1/25/2023: Referred to ECD, FIN, referral sheet 1	YAMASHITA	ECD, FIN		Monitor
26	<a href="#">HB114</a>	Maui County Council Package; Open Meetings; Sunshine Law; Testimony	RELATING TO PUBLIC TESTIMONY AT OPEN MEETINGS.	Specifies that boards subject to the open meetings law shall allow oral testimony on any agenda item at the beginning of the board's agenda or meeting, provided that oral testimony shall not be limited to the beginning of a board's agenda. Specifies an exception for the legislative body of each county.	H 1/25/2023: Referred to JHA, referral sheet 1	SAIKI (Introduced by request of another party)	JHA	SB233	Monitor
27	<a href="#">HB300</a>	State Budget	RELATING TO THE STATE BUDGET.	Appropriates funds for the operating and capital improvement budget of the Executive Branch for fiscal years 2023-2024 and 2024-2025.	H 1/25/2023: Referred to FIN, referral sheet 1	SAIKI (Introduced by request of another party)	FIN	SB354	Monitor

#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
28	<a href="#">HB334</a>	EUTF; Collective Bargaining; Employer Contribution	RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND CONTRIBUTIONS.	Sets the amount of the employer contribution to the Hawaii employer-union health benefits trust fund as a fixed percentage of the health benefits plan or life insurance plan premium cost. Makes conforming amendments to remove the amount of contributions by the State and counties to the Hawaii employer-union health benefits trust fund from the scope of collective bargaining negotiations.	H 1/25/2023: Referred to LGO, FIN, referral sheet 1	MATAYOSHI, GARRETT	LGO, FIN	SB1049	Monitor
29	<a href="#">HB343</a>	Unfunded Liabilities; EUTF; State Auditor; Study; Appropriation	RELATING TO UNFUNDED LIABILITIES.	Requires the state auditor to study the feasibility of providing health benefits to state and county employees using a self-insured model. Appropriates funds. Establishes the rate stabilization reserve fund. Caps employer contributions to the other post-employment benefits trust fund. Provides for the use of portions of any other revenues collected on behalf of the public employer or held by the State to supplement deficient public employer contribution amounts.	H 1/25/2023: Referred to LGO, CPC, FIN, referral sheet 1	MIZUNO	LGO, CPC, FIN		Monitor
30	<a href="#">HB373</a>	Office of Administrative Hearings; Contested Case Hearings; Department of Budget and Finance; Department of Land and Natural Resources; Department of Taxation; Appropriation	RELATING TO AN OFFICE OF ADMINISTRATIVE HEARINGS.	Beginning 07/01/2024, establishes the office of administrative hearings to conduct contested case hearings in the department of budget and finance, department of land and natural resources, and department of taxation. Appropriates funds to establish the office of administrative hearings. Repeals 07/01/2026.	H 1/25/2023: Referred to JHA, FIN, referral sheet 1	SAIKI	JHA, FIN	HB424	Monitor
31	<a href="#">HB545</a>	Boards; Commissions; Holdover Member; Limitation	RELATING TO BOARDS AND COMMISSIONS.	Clarifies that board and commission holdover members shall not hold office beyond the end of the second regular legislative session following the expiration of the member's term of office regardless of any conflicting statutes.	H 1/23/2023: Introduced and Pass First Reading.	AIU, HASHIMOTO		SB1196	Monitor
32	<a href="#">HB712</a>	Commission to Improve Standards of Conduct; Recordings of Public Meetings; Meeting Minutes; Public Record; Boards	RELATING TO RECORDINGS OF PUBLIC MEETINGS.	Encourages boards to maintain any electronic audio or visual recording of a board meeting as a public record on the board's website regardless of whether the written minutes of the meeting have been posted. Amends the information that must be included as part of the written minutes of board meetings. Requires boards to provide the state archives with a copy of any electronic audio or visual recording of a board meeting before removing the recording from the board's website. Effective 10/1/2023.	H 1/23/2023: Introduced and Pass First Reading.	SAIKI		SB1426	Monitor

#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
33	<a href="#">HB719</a>	Commission to Improve Standards of Conduct; Public Records; Duplication; Costs; Disclosure; Public Interest; Waiver; Appropriation	RELATING TO PUBLIC RECORDS.	Beginning 7/1/2024, imposes a cap on charges for the reproduction of certain government records; waives the cost of duplication of government records provided to requestors in an electronic format; imposes a cap on charges for searching for, reviewing, and segregating records; and provides for a waiver of fees when the public interest is served by a record's disclosure. Appropriates funds for positions in the office of information practices.	H 1/23/2023: Introduced and Pass First Reading.	SAIKI			Oppose
34	<a href="#">HB801</a>	EUTF; Board of Trustees; Holdover Trustee	RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.	Limits a holdover trustee's time in office to one hundred twenty calendar days after the trustee's term ends.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI			Monitor
35	<a href="#">HB856</a>	Four day work week; state employees, traffic reduction.	RELATING TO FOUR DAY WORK WEEKS FOR STATE EMPLOYEES.	Directs state departments to implement four day, forty hour work weeks. Addresses worker concerns of traffic congestion, commuting concerns, and work life balance.	H 1/25/2023: Introduced and Pass First Reading.	PIERICK, AMATO			Monitor
36	<a href="#">HB1015</a>	Hawaii Employer-Union Health Benefits Trust Fund; Salary Determination	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.	Enables the board of trustees of the Hawaii Employer-Union Health Benefits Trust Fund to establish appropriate salaries for the administrator and chief investment officer of the trust fund.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)		SB1313	Monitor
37	<a href="#">HB1016</a>	Hawaii Employer-Union Health Benefits Trust Fund Spousal Medicare Part B Premium Reimbursement	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND SPOUSAL MEDICARE PART B PREMIUM REIMBURSEMENT.	Amends section 87A-23, Hawaii Revised Statutes, to exclude medicare reimbursement by the State and counties for the spouses of retired employees hired after June 30, 2023.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)		SB1314	Monitor
38	<a href="#">HB1017</a>	Hawaii Employer-Union Health Benefits Trust Fund Medicare Part B Premium Reimbursement	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND MEDICARE PART B PREMIUM REIMBURSEMENT.	Amends section 87A-23, Hawaii Revised Statutes, to exclude medicare income related monthly adjustment amounts reimbursement by the State and counties for retired employees hired after June 30, 2023, and their spouses.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)		SB1315	Monitor
39	<a href="#">HB1039</a>	Act 278, Session Laws of Hawaii 2022; Attorney General; Department of the Attorney General; Department of Defense; Department of Health, Department of Human Services; Investigators; Private Security Contracts	RELATING TO ACT 278, SESSION LAWS OF HAWAII 2022.	Amends Act 278, Session Laws of Hawaii 2022, to modify the transfer of the personnel and functions of the Department of the Attorney General to the Department of Law Enforcement, clarify that Act 278 does not amend or abrogate the Attorney General's status as the Chief Legal and Law Enforcement Officer of the State, specify that the Statewide Law enforcement Training Complex will be located at the First Responder Technology Campus rather than the Mililani Technology Park, and transfer the responsibility and management of certain private security contracts under section 26-14.6, Hawaii Revised Statutes, from the Department of Law Enforcement to the Department of Defense, the Department of Health, and the Department of Human Services for their respective facilities.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)		SB1337	Monitor

#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
40	<a href="#">HB1158</a>	Uniform Information Practices Act; Exceptions to Disclosure; Government Records; Working Group	RELATING TO GOVERNMENT RECORDS.	Specifies that certain deliberative and pre-decisional government inter-agency or intra-agency records concerning an agency decision about a government action are not subject to disclosure until a decision on the action has been made or abandoned. Creates a rebuttable presumption that a matter has been abandoned three years after a prior request for such records. Allows an agency post-decision to continue to withhold directly identifying information for officials or employees lacking discretionary authority in specified circumstances. From 7/1/2023 through 6/30/2027, requires agencies to report their use of the exception to the office of information practices. Requires the office of information practices to convene a working group to examine agency use of the exception and report to the legislature by the 2029 regular session.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI (Introduced by request of another party)			Support
41	<a href="#">HB1202</a>	Employment; Paid Sick Leave	RELATING TO PAID SICK LEAVE.	Requires employers to provide a minimum amount of paid sick leave to employees and supplemental paid sick leave to employees under certain public health emergency conditions.	H 1/25/2023: Introduced and Pass First Reading.	MATAYOSHI, AMATO, CHUN, GANADEN, GATES, HASHIMOTO, HUSSEY-BURDICK, KILA, KITAGAWA, LAMOSAO, LOWEN, MARTEN, POEPOE, QUINLAN, TAKENOUCHI, TAM, TARNAS, TODD, WOODSON, Belatti, Kapela, Martinez			Monitor
42	<a href="#">HB1505</a>	EUTF; Investments; Appropriation	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.	Encourages the EUTF to consider investment opportunities in industries that will sustain Hawaii's natural environment or produce economic opportunities for its residents, including renewable energy businesses and businesses that use investment capital to acquire the infrastructure and services needed to become energy sustainable. Appropriates funds to the EUTF.	H 1/25/2023: Introduced and Pass First Reading.	SAIKI, AMATO, BELATTI, CHUN, COCHRAN, GANADEN, GARRETT, HUSSEY-BURDICK, ILAGAN, KAHALOA, KAPELA, KILA, KITAGAWA, KOBAYASHI, LAMOSAO, LOWEN, MARTEN, MARTINEZ, MATAYOSHI, MIZUNO, MORIKAWA, NAKASHIMA, NISHIMOTO, PERRUSO, POEPOE, SAYAMA, TAKAYAMA, TAKENOUCHI, TAM, TARNAS, TODD			Monitor
43	<a href="#">SB257</a>	Public Service; Vacancies	RELATING TO EMPLOYMENT.	Requires the abolishment of any state public service position that remains vacant for longer than 2 years.	S 1/23/2023: Referred to LBT, WAM.	FEVELLA, Kidani, Wakai	LBT, WAM		Oppose
44	<a href="#">SB450</a>	Interactive Conference Technology; Remote Participation; Live Broadcast; Boards and Commissions	RELATING TO BOARD MEETINGS.	Requires boards to use interactive conference technology to remotely conduct public meetings in conjunction with in-person meetings that allow for public participation. Requires boards to archive certain recordings of meetings on their websites.	S 1/25/2023: Referred to LBT, JDC.	KEOHOKALOLE, DELA CRUZ, MCKELVEY, Ihara, Keith-Agaran, Wakai	LBT, JDC		Monitor

Comments

#	Bill No	Subject	Title	Summary	Status as of 1/27/2023	Introducer(s)	Refer	Comp	ERS Position
45	<a href="#">SB720</a>	Government Records; Disclosure; Exemption; Reports; Working Group	RELATING TO GOVERNMENT RECORDS.	Adds an exception to mandatory disclosure of government records for deliberative and pre-decisional government inter-agency or intra-agency records concerning an agency decision about a government action. From July 1, 2023, through June 30, 2027, requires agencies to report their use of the exception to the Office of Information Practices. Requires the Office of Information Practices to convene a working group to examine agency use of the exception and report to the Legislature prior to the Regular Session of 2029.	S 1/25/2023: Referred to GVO, JDC.	MORIWAKI, CHANG, KEITH-AGARAN, Dela Cruz	GVO, JDC		Support
46	<a href="#">SB991</a>	Public Records; Duplications; Costs; Disclosures; Public Interest; Waivers	RELATING TO PUBLIC RECORDS.	Imposes a cap on costs charged to reproduce certain government records. Waives reproduction costs charged for the first one hundred pages if disclosure serves the public interest. Waives costs charged to duplicate certain government records in an electronic format. Imposes a cap on costs charged to search for, review, and segregate records. Provides for a waiver of fees when a record's disclosure serves the public interest.	S 1/27/2023: Referred to GVO, JDC/WAM.	RHOADS	GVO, JDC/WAM		Comments
47	<a href="#">SB1226</a>	EUTF; Investments; Appropriation	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.	Encourages the EUTF to consider investment opportunities in industries that will sustain Hawaii's natural environment or produce economic opportunities for its residents, including renewable energy businesses and businesses that use investment capital to acquire the infrastructure and services needed to become energy sustainable. Appropriates funds to the EUTF.	S 1/25/2023: Passed First Reading.	KEITH-AGARAN			Monitor
48	<a href="#">SB1251</a>	Teachers' Salary Schedule; Temporary Teachers; Substitute Teachers; Department of Education	RELATING TO SUBSTITUTE TEACHERS.	Beginning July 1, 2023, requires substitute teachers who work ninety days or more to be compensated equivalent to the daily rate for an entry-level teacher salary commensurate with their placement in Class I, II, or III.	S 1/25/2023: Passed First Reading.	MCKELVEY, AWA, CHANG, KEITH-AGARAN, SHIMABUKURO, San Buenaventura, Waike			Monitor
49	<a href="#">SB1513</a>	Executive Meeting; Public Agency Meeting	RELATING TO PUBLIC AGENCY MEETINGS.	Requires a Public Agency Board to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting, but giving the Board discretion to maintain confidentiality.	S 1/25/2023: Introduced.	IHARA, MCKELVEY, SHIMABUKURO			Monitor
50	<a href="#">SB1564</a>	Public Records; Copies of Records; Costs and Fees	RELATING TO PUBLIC RECORDS.	Allows a requestor of a public record to receive the public record in the format of their choice; provided that the format that is being requested is available.	S 1/25/2023: Introduced.	KOUCHI (Introduced by request of another party)			Monitor