

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

JULY 8, 2024

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

Trustees present: Mr. Emmit Kane, Chair (in person)*
(by teleconference) Mr. Lance Mizumoto, Vice Chair*
Mr. Vincent Barfield*
Dr. Catherine Chan*
Dr. Genevieve Ley*
Mr. Bennett Yap*

Trustee absent: Mr. Luis Salaveria

Staff present: Mr. Thomas Williams, Executive Director*
(City Financial Tower Mr. James Greubel, Program Specialist*
by teleconference) Ms. Shanna Sakagawa, Program Specialist*
Mr. Keith Miyamoto, Information Services Branch Manager*
Ms. Sandra Straub, Information Services Systems Supervisor*
Ms. Lori Kobayashi, Retirement Benefits Branch Manager*
Ms. Kristin Varela, Chief Investment Officer*
Mr. Anthony Goo, Deputy Chief Investment Officer*
Mr. Aaron Au, Investment Officer – Private Equity
Ms. Christine Chang, Investment Officer – Diversifying Strategies*
Mr. Andrew Chen, Investment Officer – Credit Markets
Ms. Lynn Kamimoto, Investment Officer – Risk*
Mr. Ian Wetzel, Investment Officer – Real Assets
Ms. Gerri Konishi, Member Home Loan Assistant*
Ms. Dale Kehau Kanae, Recording Secretary*
Ms. Lori Kim, Secretary*
Ms. Andrea Gasper, Secretary*
Ms. Diana Gomes, Secretary

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

Guests present: Mr. Lewis Ward, Gabriel Roeder Smith
(by teleconference) Ms. Natalie Fitch, Hamilton Lane Advisors, LLC
Mr. Peter Hanashiro, KMH LLP
Mr. Tyson Suehiro, KMH LLP
Mr. Colin Bebee, Meketa Investment Group, Inc.

Public present: Mr. Joe Ebisa, With Intelligence
(by teleconference) Mr. Frank Rogozienski

*Attended Executive Session.

QUORUM/CALL TO ORDER

A quorum being present (Chair Kane, Vice Chair Mizumoto, Trustees Barfield, Chan, Ley, and Yap), Chair Kane called the regular meeting of the Board of Trustees (Board) of the Employees' Retirement System of the State of Hawaii (ERS) to order at 10:12 a.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 Vice Chair Mizumoto, seconded by Trustee Barfield, and unanimously carried, to be able to hold 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.

PUBLIC COMMENT

Chair Kane called for public comment. There was no public present in person, however, two (2) members of the public were present by teleconference, but they had no public comment. Also, no written testimony was received for this meeting.

EXECUTIVE DIRECTOR'S REPORT ON THE OPERATIONS AND ADMINISTRATION OF THE SYSTEM WITH RESPECT TO ISSUES AFFECTING MEMBER SERVICES, ACCOUNTING, AND INFORMATION TECHNOLOGY SYSTEMS, TO INCLUDE SIGNIFICANT DEVELOPMENTS IN INVESTMENTS, POLICY, STAFFING, POTENTIAL LEGISLATION, AND REGULATORY MATTERS

Executive Director (ED) Williams gave an oral report to the Board on the Operations and Administration of the System with Respect to Issues Affecting Members Services, Accounting, and Information Technology Systems, to Include Significant Developments in Investments, Policy, Staffing, Potential Legislation, and Regulatory Matters as follows:

- Fiscal year-end deadlines and challenges of procurement processing.
- Monitoring of investment performance and presentations by Meketa Investment Group, Inc., and Hamilton Lane Advisors LLC.
- Preliminary Annual Actuarial Valuation Report to be presented by Gabriel Roeder Smith & Company.
- Closing of the Legislative Session and summary of activities including HB 1598/Act 011, HB 1599/Act 012, and HB 1600/Act 013 regarding Sunshine Law requirements for Boards, SB 3070/Act 192 signed by the Governor on July 3, 2024, that changes the ERS maximum amortization funding period from 30- to 20-years over a 5-year period beginning this fiscal year and ending in 2029.
- State Budget HB 40, that would allow \$135 M appropriated and an additional possible \$300 M contributions to ERS, may not be distributed, as in 2022, \$300 M appropriated was deferred and has lapsed. The Governor will likely veto the appropriations as the budget needs to be balanced.
- Medical Board contracts will begin in August to members Chair Dr. Patricia Chinn, Dr. Bernard Chun, and Dr. Peter Do for well under the total approved budget of \$505,000 per year for a period of three-years with the option to extend for two, one-year periods.
- Temporary Hazard Pay guidelines have been established and distribution to State employees is scheduled to start in October. Employees that have worked in person at least 420 days from March 2020 to April 2022 would receive \$20 K and those with less than 420- but more than 0-days would get \$10 K to be paid in two installments, the first in October 2024, and the second sometime in the spring of 2025. Only Tier 1 employees are entitled to additional payments being eligible for retirement contributions and benefits.
- A change in State auditor from Eide Bailly LLP to KKDLY, LLC to provide audit services for ERS and State agencies for 2023 and 2024.
- Trustee Educational Opportunities. Trustee Barfield has submitted a report from his attendance at the Annual Conference and Exhibition by the National Conference on Public Employee Retirement Systems from May 18-23, 2024. It is suggested that all Trustees submit similar reports upon return from attending any conference or educational opportunity. Future educational opportunities will be listed on BoardWorks.
- Monthly Operations Report Highlights – June 2024, was summarized as submitted and the recruitment and challenges of filling vacant positions were discussed.

PUBLIC COMMENT

Chair Kane again called for public comment. There were no public comments from public members attending.

UPDATE REPORT OF
ACTIVITY BY THE
GOVERNANCE POLICY
COMMITTEE CHAIR

Governance Policy Committee (Committee) Chair Kane reported to the Board that Executive Director (ED) Thomas Williams will present the Board Self Evaluation.

DISCUSSION RELATED
TO BOARD SELF
EVALUATION

ED Williams presented to the Board, as submitted, the 2024 HIERS Board Self-Evaluation prepared by Funston Advisory Services LLC and discussed:

HIERS Board Self-Evaluation Process
Summary of Effectiveness Ratings
Summary of Priorities for Improvement
High Level Self-Evaluation Summary
Conduct Business of the Board and Its Committees
Set Direction, Delegate, and Oversee
Obtain Independent Verification and Use of External Advisors
Board Education and Development
Board Interactions with Staff and Evaluations of Direct Reports
Experience, Skills and Qualifications Matrix

The Board had no questions regarding the Self-Evaluation and no action was needed or taken.

UPDATE REPORT OF
ACTIVITY BY THE
ADMINISTRATIVE &
AUDIT COMMITTEE

Administrative & Audit Committee (Committee) Chair Chan reported to the Board that Gabriel Roeder Smith & Company's Lewis Ward will present the Preliminary Annual Actuarial Valuation Report. For the year ending June 30, 2024.

PRELIMINARY
ANNUAL ACTUARIAL
VALUATION REPORT
BY GABRIEL ROEDER
SMITH & COMPANY
FOR THE YEAR
ENDING JUNE 30, 2024

Mr. Ward joined the meeting by teleconference and presented an oral and written report to the Board, as submitted, a mid-year update and discussed:

Projected 2024 Actuarial Valuation Results
Projection of Funding Period from 2016 Legislative Impact Statement vs Actual Valuation Outcomes
The UAAL Slightly Grew in Dollars From Last Year, But This Was Expected and is Still Well Below 2016 Projections

Two Legislative Bills

- SB 3070, HD1 CD1
- HB 40, SD1 CD2

New Policy Begins at 25 Years as of 2024 and Begins a Process of Lowering the Maximum Period by 1 Each Year

The Funding Period Under the New Policy is Not Expected to Breach the Maximum as Long as ERS Achieves 6% Returns or Better

Summary

- The funded ratio is projected to increase and the funding period to decrease by 1 (as expected).
- The System continues to move towards positive amortization, expected to begin in FY 2026 or FY 2027.
- The new maximum amortization period will protect the System over the long term.
- It is likely this type of change will be seen very favorably by bond raters and satisfies all of the new Actuarial Standards of Practice.

On a motion made by Committee Vice Chair Barfield, seconded by Vice Chair Mizumoto, and unanimously carried, the Board approved, as recommended by the Administrative & Audit Committee, the Preliminary Annual Actuarial Valuation Report for the Year Ending June 30, 2024, as presented.

MEMBER ENROLLMENT
& RE-ENROLLMENT
PROCESS REVIEW
REPORT BY KMH LLP

INTERNAL AUDIT
UPDATE REPORT BY
KMH LLP ON THE
CURRENT STATUS OF
ACTIVITIES
COMPLETED DURING
Q1 AND Q2, 2024, AND
AN UPDATE ON THE
COMPLETION STATUS
OF MANGEMENT
ACTION PLANS FOR
PAST INTERNAL
AUDIT
OBSERVATIONS AND
RECOMMENDATIONS

CONSIDERATION AND
DISCUSSION OF POTENTIAL
AMENDMENTS TO TITLE 6
OF HAWAII
ADMINISTRATIVE RULES
FOR CHAPTER 6-24
“ELECTION OF MEMBERS
AND RETIRANT OF THE
SYSTEM TO THE BOARD OF
TRUSTEES” TO INCLUDE
ADDITIONAL IDENTIFIERS
OF NOMINATOR
VALIDATION AND CLARIFY
INDEPENDENT BALLOTING
AGENTS’ ROLES IN BOARD
ELECTIONS; FOR REVIEW
AND RECOMMENDATION
TO THE BOARD OF
TRUSTEES. A COPY OF THE
POTENTIAL AMENDMENTS
BEING CONSIDERED IS
AVAILABLE TO BE VIEWED
IN PERSON AT THE ERS
OFFICE AND IS ALSO
POSTED AT
[ers.hawaii.gov/resources/
all-publications](https://ers.hawaii.gov/resources/all-publications) UNDER
“HAWAII ADMINISTRATIVE
RULES (HAR)”

(After his presentation Mr. Ward left the meeting by ending his teleconference.)

KMH LLP’s Messrs. Peter Hanashiro and Tyson Suehiro joined the meeting by teleconference and presented oral and written reports to the Board on KMH LLP’s Member Enrollment & Re-Enrollment Process Review Report and Internal Audit Update Report.

Mr. Hanashiro reported to the Board that the Member Enrollment & Re-Enrollment Process Review Report was included as part of the Internal Audit Update Report and discussed in summary the Internal Audit Update Report:

EXECUTIVE SUMMARY

Administrative and Other Matters

Status on Current Projects

- Virtual Chief Information Security Officer (vCISO)
- Follow-Up Review

Status on Current Projects (Carryover from 2023)

- Member Enrollment & Re-Enrollment Review
- Continuous Monitoring Tool Development – Part 1

The Committee shared with the Board their concerns with unacceptable ratings and although challenges are due to resource shortages, lack of policies and procedures, and other various reasons, a plan needs to be immediately devised and implemented to address all potential risks. Deadlines cannot continue to be extended and delayed and outsourcing may need to be a consideration.

On a motion made by Committee Vice Chair Barfield, seconded by Trustee Ley, and unanimously carried, the Board approved, as recommended by the Administrative & Audit Committee, the Internal Audit Update Report, as presented.

Program Specialist (PS) James Greubel presented an oral and written report to the Board on the Potential Amendments to Title 6 of the Hawaii Administrative Rules (HAR) for Chapter 6-24, “Election of Members and Retirant of the System to the Board of Trustees”.

PS Greubel reviewed the amendments to the HAR with the Board, as presented, noting that the Committee reviewed and agreed with the amendments, however, did not formally accept the amendments as additional language regarding the petition to be able to be submitted electronically was requested. The Board discussed, and agreed, that the amended language does not restrict a petition from being submitting electronically, and therefore, the Committee recommended the Board’s approval of the amended HAR, as presented. (The HAR is attached to these minutes for clarification).

On a motion made by Trustee Ley, seconded by Trustee Mizumoto, and unanimously carried, the Board approved the amendments to Title 6 of the Hawaii Administrative Rules for Chapter 6-24, as “Election of Members and Retirant of the System to the Board of Trustees,” as presented.

COMPLIANCE SUPPORT
STAFF REPORT AND
UPDATE ON
IMPLEMENTATION OF ERS'
COMPLIANCE PROGRAM ON
RISK ASSESSMENT,
POLICIES & PROCEDURES,
AND THIRD-PARTY RISK
MANAGEMENT

Executive Director Williams requested and recommended that the Compliance Support Staff Report be deferred as the Chief Compliance Officer was absent and no action was needed by the Board.

Chair Kane agreed with the recommendation and deferred the Compliance Support Staff Report to the next meeting.

UPDATE REPORT OF
ACTIVITY BY THE
INVESTMENT COMMITTEE
CHAIR

Investment Committee (Committee) Chair Mizumoto reported to the Board that the Committee met on May 28, 2024, and discussed the Total Fund Performance Review for Period Ending March, 31, 2024, the Private Equity Quarterly Review for Period Ending December 31, 2023, and an Educational Presentation on Risk Budgeting, however, only the Total Fund Performance Review and Private Equity Quarterly Review was presented to the Board.

Chief Investment Officer (CIO) Kristin Varela discussed with the Board, that the Total Fund Performance Review Report was labeled preliminary as the new strategic benchmarks were adopted effective January 1, 2024, and significant changes were made, which are still in process of being audited. A final report will be released, upon completion of an audit of the benchmarks by ERS Investment Staff and Meketa.

TOTAL FUND
PERFORMANCE
REVIEW FOR PERIOD
ENDING MARCH 31,
2024

Meketa Investment Group Inc's Colin Bebee joined the meeting by teleconference and presented additional background information to the Board on the reason for the preliminary report noting the completion of the Asset Liability in June 2023 which approved the use of the new benchmarks starting January 1, 2024. This being the first report using the new benchmarks, final reviews are being carefully done to verify the accuracy of the large volume of changes. Mr. Bebee noted that overall, there are no concerns of the total fund return in the report. Mr. Bebee continued his presentation with an oral and written report to the Board on the Total Fund Performance Review for period ending March 31, 2024, entitled 2024 Q1 Performance Report (Preliminary).

ERS PORTFOLIO REVIEW

Asset Class Performance Summary

PRIVATE EQUITY
QUARTERLY REVIEW
FOR PERIOD ENDING
DECEMBER 31, 2023

Investment Officer – Private Equity Aaron Au provided an update to the Board that a pacing plan was approved in July 2023 for investments into private equity of between \$800 M and \$1 B, and currently approximately \$345 M or 40% has been allocated for the 2024 calendar year pacing plan.

Hamilton Lane Advisors LLC's Natalie Fitch joined the meeting by teleconference and presented an oral and written report to the Board on the Private Equity Quarterly Review for Period Ending December 31, 2023.

In addition to the report, Ms. Fitch shared information with the Board regarding vintages of funds that were more than 10 years old, with remaining value. The ERS has 89 funds, and it was recommended that the best approach is to let the funds run off as long as no or minimal fees are charged. Ms. Fitch offered to include updated information regarding Vintage Funds in her next report.

APPROVAL OF MINUTES
– MAY 14, 2024

On a motion made by Trustee Chan, seconded by Trustee Ley, and unanimously carried, the Board approved the Minutes of May 14, 2024, as presented.

PUBLIC COMMENT

Chair Kane called for public comment. There were no public comments from public members attending.

Chair Kane identified all the participants in Executive Session, the Board, staff members, Deputy Attorneys general, and Guests are identified with an asterisk on these minutes and listed on the Executive Session Minutes.

Chair Kane provided the reason to enter into Executive Session:

Executive Session, pursuant to HRS §92-5(a)(4), (6), and (8), to consider and to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities on sensitive matters related to Cyber Security Updates; on information that must be kept confidential pursuant to State law with respect to Updates on Ongoing Litigation; on the Closure of Weiss Asset Management; and to make a decision on the approval of Executive Session and Confidential Executive Session Minutes.

ENTER EXECUTIVE
SESSION

On a motion made by Vice Chair Mizumoto, seconded by Trustee Yap, and unanimously carried, the Board entered into Executive Session at 11:57 a.m.

(Public participation concluded by ending the teleconference link.)

All attendees participating by teleconference affirmed that no other persons were in their rooms or able to listen in on their audio or audiovisual connection. Recording Secretary Dale Kehau Kanae confirmed that no unauthorized persons were in the conference room or able to listen in via audio or audiovisual connection while on the teleconference.

EXECUTIVE SESSION

- Pursuant to HRS §92-5(a)(4) and (6), to consider and consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities, and to consider sensitive matters related to Cyber Security Updates.
- Pursuant to HRS §92-5(a)(4) and (8), to consider information that must be kept confidential pursuant to State law, and to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to Updates on Ongoing Litigation; appropriate action for: (1) Kirk Flores, Sr. vs. ERS, Civil No. 3CCV-24- 0000028; (2) Cynthia Giebink vs. ERS, Civil No. 2CCV-23-0000113; (3) Debra Robertson vs. ERS CAAP-20-0000740; and (4) Josephine M. Rondolos-Elizares vs. ERS, Civil No. 3CCV-19-0000076.
- Pursuant to HRS §92-5(a)(4), to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Closure of Weiss Asset Management.
- Pursuant to HRS §92-5(a)(8), to Review and Approve Executive Session Minutes of May 14, 2024.
- Pursuant to HRS §92-5(a)(8), to Review and Approve Confidential Executive Session Minutes of May 14, 2024.

EXECUTIVE SESSION,
PURSUANT TO HRS §92-5(a)(4)
AND (6), TO CONSIDER AND
CONSULT WITH THE BOARD'S
ATTORNEYS ON QUESTIONS
AND ISSUES PERTAINING TO
THE BOARD'S POWERS,
DUTIES, PRIVILEGES,
IMMUNITIES, AND
LIABILITIES, AND TO
CONSIDER SENSITIVE
MATTERS RELATED TO
CYBER SECURITY UPDATES

EXECUTIVE SESSION,
PURSUANT TO HRS §92-5(a)(4)
AND (8), TO CONSIDER
INFORMATION THAT MUST BE
KEPT CONFIDENTIAL

PURSUANT TO STATE LAW,
AND TO CONSULT WITH THE
BOARD'S ATTORNEYS ON
QUESTIONS AND ISSUES
PERTAINING TO THE BOARD'S
POWERS, DUTIES, PRIVILEGES,
IMMUNITIES, AND
LIABILITIES WITH RESPECT
TO UPDATES ON ONGOING
LITIGATION; APPROPRIATE
ACTION FOR: (1) KIRK FLORES,
SR. vs. ERS, CIVIL NO. 3CCV-24-
0000028; (2) CYNTHIA GIEBINK
vs. ERS, CIVIL NO. 2CCV-23-
0000113; (3) DEBRA
ROBERTSON vs. ERS CAAP-20-
0000740; AND (4) JOSEPHINE M.
RONDOLOS-ELIZARES vs. ERS,
Civil No. 3CCV-19-0000076

EXECUTIVE SESSION,
PURSUANT TO HRS §92-5(a)(4),
TO CONSULT WITH THE
BOARD'S ATTORNEYS ON
QUESTIONS AND ISSUES
PERTAINING TO THE BOARD'S
POWERS, DUTIES, PRIVILEGES,
IMMUNITIES, AND
LIABILITIES WITH RESPECT
TO THE CLOSURE OF WEISS
ASSET MANAGEMENT

EXECUTIVE SESSION,
PURSUANT TO HRS §92-5(a)(8),
TO REVIEW AND APPROVE
EXECUTIVE SESSION
MINUTES OF MAY 14, 2024

EXECUTIVE SESSION,
PURSUANT TO HRS §92-5(a)(8),
TO REVIEW AND APPROVE
CONFIDENTIAL EXECUTIVE
SESSION MINUTES OF MAY 14,
2024

EXIT EXECUTIVE SESSION

On a motion made by Trustee Yap, seconded by Trustee Barfield, and unanimously carried, the Board exited Executive Session at 12:39 p.m.

Chair Kane announced that while in Executive Session, the Board discussed Cyber Security Updates, Reviewed Updates on Ongoing Litigation and took appropriate action, Reviewed the Closure of Weiss Asset Management, and the Board also approved Executive Session and Confidential Executive Session Minutes of May 14, 2024.

ADJOURNMENT

On a motion made by Trustee Barfield, seconded by Vice Chair Mizumoto, and unanimously carried, Chair Kane adjourned the meeting at 12:40 p.m.

REDACTED SIGNATURE

Thomas Williams
Executive Director

TW:dkik

HAWAII ADMINISTRATIVE RULES

TITLE 6

DEPARTMENT OF BUDGET AND FINANCE

EMPLOYEES' RETIREMENT SYSTEM

CHAPTER 24

ELECTION OF MEMBERS AND RETIRANT OF THE SYSTEM
TO THE BOARD OF TRUSTEES

- §6-24-1 Definitions
- §6-24-2 Candidates proposed by employee
organizations or retirant organizations
- §6-24-3 Other candidates
- §6-24-4 Contents of ballots
- §6-24-4.01 Electronic voting authorized
- §6-24-5 Mailing of ballots
- §6-24-6 Return of ballots
- §6-24-7 Non-receipt of ballots; spoiled ballots;
new ballots
- §6-24-8 Election committee
- §6-24-9 Opening and tallying of ballots
- §6-24-10 Declaration of election
- §6-24-11 Ballots to be held for thirty days
- §6-24-12 Computation of time

Historical Note: This chapter is based substantially on Rule covering the Election of Members of the System to the Board of Trustees. [Eff. 11/5/71; am 5/26/77; R 11/9/81]

§6-24-1 Definitions. Definitions generally applicable to this chapter are also provided in section 88-21, HRS, and section 6-20-1. As used in this chapter:

"Alternate Identifier" means a unique system-generated number assigned to members and retirees of the system.

"Employee organization" means an organization classified as an employee organization under section 89-2 HRS.

"General employee" means a member who is an employee of the State or a county, including police officers and firefighters but excluding teachers.

"General employee organization" means an organization which is comprised principally of members who are general employees.

"General employee-trustee" means a trustee who is classified as a general employee.

"Retirant organization" means an organization which is comprised principally of retirants.

"Retirant-trustee" means a trustee who is included in the definition of a retirant.

"Teacher" means a member classified as a teacher under section 88-102, HRS; a teacher or an educational officer certified as a teacher by the department of education, and includes a dean, professor, instructor, and lecturer of the University of Hawaii and the community college system.

"Teacher-trustee" means a trustee who is included in the definition of a teacher. [Eff 11/9/81; am and comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-2 Candidates proposed by employee organizations or retirant organizations. (a) Each of the general employee organizations, if the election is for a general employee-trustee; each of the teacher organizations, if the election is for a teacher-trustee; the above mentioned organizations and retirant organizations, if the election is for a retirant-trustee; shall be invited to submit a list of candidates whose names the organization desires to have on the ballot, together with brief resumes of

their qualifications. The resume of each candidate shall contain not more than one hundred words, inclusive of the candidate's name.

(b) The list of candidates must be received by the system at its Honolulu office, by 4:30 p.m., no later than sixty days from the date the system posts or circulates the notice to submit a list of candidates. Any list of candidates received after the sixtieth day shall not be considered. [Eff 11/9/81; am and comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; comp] (Auth: HRS §§88-24, 88-28)(Imp: HRS §88-24)

§6-24-3 Other candidates. Any member or retirant who has not been proposed as a candidate by an employee or retirant organization, as the case may be, and who desires to be a candidate for election to the board may have the member's or retirant's name placed on the ballot by submitting a petition to the board, if the following conditions are met:

- (1) The petitioner shall be a general employee if the election is for a general employee-trustee; a teacher, if the election is for a teacher-trustee; or a retirant, if the election is for a retirant-trustee;
- (2) The petition shall be certified by the petitioner and shall be accompanied by the signatures of at least one hundred members or retirants of the system who desire to have the petitioner's name on the ballot. The signatures shall be obtained on a form provided by the system or other approved digital methods. For identification and member or retirant verification purposes, the signatures shall be accompanied by [~~the last four digits of~~] the member's or retirant's [~~social security number,~~] current mailing address, [~~and~~] current or former employing agency [~~of each person signing the~~

~~petition, and shall be certified by the petitioner;], and either:~~

- (A) The last four digits of the member's or retirant's social security number;
 - (B) The member's or retirant's Alternate Identifier; or
 - (C) The member's or retirant's month and day of birth;
- (3) The petition must be received by the system at its Honolulu office (together with a resume of the qualifications of the petitioner containing not more than one hundred words, inclusive of the petitioner's name) or an independent balloting agent as the case may be, no later than 4:30 p.m. sixty days from the date the notice to submit petition is published; and
- (4) The system or independent balloting agent as the case may be, shall verify the petitioner's status as a member or retirant of the system, as the case may be, and the signatures and status as a member or retirant of the system, as the case may be, of at least one hundred of the persons signing the petition.

The system shall notify the public of the opportunity to petition the board to have a member's or retirant's name placed on the ballot by publishing a notice to submit petition [~~shall be published~~] in a newspaper of general circulation in the State. The notice shall announce the forthcoming election[7] and shall contain other information as appropriate. [Eff 11/9/81; am and comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-4 Contents of ballots. The ballot shall:

- (1) List in alphabetical sequence the names of the candidates; and

- (2) Contain a resume of their qualifications containing not more than one hundred words, inclusive of the candidate's name[, ~~or the qualifications of each candidate~~]. [Eff 11/9/81; am and comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28)
(Imp: HRS §88-24)

§6-24-4.01 Electronic voting authorized. (a) The system may use electronic means to allow members and retirants to vote. The [~~administrator~~] executive director may implement and maintain the electronic voting system, or the board may appoint an independent electronic balloting service that specializes in the solicitation and compilation of ballots for government entities through electronic means, for the purpose of performing some or all of the functions in connection with electronic voting.

(b) If electronic voting is used, electronic ballots shall be sent, received, and maintained in a manner substantially equivalent to the manner in which paper ballots are sent, received, and maintained. The [~~administrator~~] executive director or the independent balloting agent, whichever implements the electronic voting system, shall maintain and ensure the integrity and security of the electronic voting system. [Eff and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-5 Mailing of ballots. (a) For printed ballots, a ballot shall be mailed to each member and retirant together with a postage guaranteed return envelope, between [~~September~~] July 1 and [~~December~~] October 1 of the calendar year preceding the year in which the term of an elected trustee expires; provided that if a vacancy occurs for the unexpired term of a trustee, the board shall determine whether to fill the

vacancy by appointment or election and if by election, the dates for the mailing of ballots.

(b) The system shall maintain a listing of the names and mailing addresses of all members and retirants to whom ballots were sent. [Eff 11/9/81; am and comp 2/9/89 and comp 7/10/95; am and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-6 Return of ballots. (a) For printed ballots, members and retirants shall have at least fifteen days from the date of the mailing of the ballot within which to return the ballot to the system or independent balloting agent as the case may be. The postmark date on the return envelope shall determine whether the envelope has been returned within the prescribed period. The system, or independent balloting agent as the case may be, shall date stamp all envelopes which are hand-delivered, or which are not post-marked, or which are received [~~by the system~~] after the last day for the return of ballots.

(b) All ballots received after the time prescribed for the return of ballots shall be kept separately by the system or the independent balloting agent as the case may be, for inspection and disposition by the election committee.

(c) The system, or independent balloting agent as the case may be, shall maintain a daily record of the number of ballots received. Printed ballots shall be kept sealed and locked in boxes until the day for the tallying of ballots. [Eff 11/9/81; am and comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-7 Non-receipt of ballots; spoiled ballots; new ballots. (a) Any member or retirant who claims not

to have received a paper or electronic ballot shall be issued a new ballot through paper or electronic means, if the records indicate that no ballot was sent to the member or retirant, the ballot was sent to the wrong mailing address, or the member or retirant was not able to access the electronic ballot, through no fault of the member or retirant; provided that if the ballot was sent to the wrong mailing address, a reasonable time shall elapse to permit return of the ballot before the issuance of a new ballot. If the records indicate that the ballot was sent to the proper mailing address, a new ballot shall be issued if the member or retirant shall file a written statement, or by other prescribed and approved means, to certify[ing] that the member or retirant did not receive the ballot.

(b) A member or retirant who has spoiled a ballot may request a new ballot which shall be issued only upon the receipt of the spoiled ballot by the system or the independent balloting agent as the case may be.

(c) The system, or the independent balloting agent as the case may be, shall keep a record of all ballots issued under the provisions of this section. [Eff 11/9/81; comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; am and comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §§88-24)

§6-24-8 Election committee. The system shall appoint an election committee of three members who shall be recommended by employee and retirant organizations. The committee shall supervise the opening and tallying of ballots and shall, upon completion of the tally, certify to the board of trustees the results of the election. [Eff 11/9/81; comp 2/9/89; am and comp 7/10/95; comp 11/26/09; comp] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-9 Opening and tallying of ballots. (a) The system, or independent balloting agent as the case may be, shall tally the ballots no earlier than four days after the last day for the return of ballots by mail.

(b) Ballots shall be opened and tallied under the supervision of the election committee. Electronic ballots may be opened and tallied by an independent electronic balloting [~~service~~] agent under the supervision of the election committee.

(c) Any ballot containing more than the number of votes permitted by the instructions on the ballot and any ballot containing any erasure shall be invalid. The election committee shall be the sole judge as to the validity of any other questionable ballot. [Eff 11/9/81; am and comp 2/9/89; am 1/29/90; am and comp 7/10/95; am and comp 11/26/09; am and comp

] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-10 Declaration of election. Upon receipt of the certified results of the election from the election committee, the board of trustees shall declare as elected the person (or persons, if there is more than one trustee to be elected) receiving the highest number of votes. [Eff 11/9/81; comp 2/9/89; comp 7/10/95; comp 11/26/09; comp]
(Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-11 Ballots to be held for thirty days. All ballots which have been tallied shall be held by the system or independent balloting agent as the case may be, for a period of at least thirty days following the day when the successful candidate or candidates take office. If there are no questions raised as to the results of the election, the system or independent balloting agent as the case may be, may then destroy the ballots. [Eff 11/9/81; comp 2/9/89; am and comp

7/10/95; comp 11/26/09; am and comp
] (Auth: HRS §§88-24, 88-28) (Imp: HRS §88-24)

§6-24-12 Computation of time. In computing any period of time prescribed or allowed by this chapter, or any order of the board, the day of the act, event, or default after which the designated period of time is to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday, or legal holiday in the State, in which event the period of time runs until the end of the next day which is neither a Saturday, Sunday, nor legal holiday. Intermediate Saturdays, Sundays, or legal holidays shall not be include in the computation when the period of time prescribed or allowed is seven days or less. A half-holiday shall not be considered a holiday for purposes of these computations. All references in this chapter to days shall mean calendar days, unless otherwise expressed. [Eff 11/9/81; comp 2/9/89; am and comp 7/10/95; am and comp 11/26/09; am and comp
] (Auth: HRS §88-28) (Imp: HRS §§88-24, 88-28)