

GOV. MSG. NO. 691

EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE

April 30, 2008

The Honorable Colleen Hanabusa, President and Members of the Senate Twenty-Fourth State Legislature State Capitol, Room 409 Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 30, 2008, the following bill was signed into law:

SB3228 HD1

A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES. (ACT 49)

Sincerely,

LINDA LINGLE

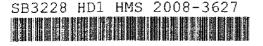
THE SENATE TWENTY-FOURTH LEGISLATURE, 2008 STATE OF HAWAII ACT 0 4 9 S.B. NO. 3228 H.D. 1

A BILL FOR AN ACT

RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. Section 326-23, Hawaii Revised Statutes, is
- 2 amended to read as follows:
- 3 "§326-23 Pensions for patient employees at facilities.
- 4 (a) All patient employees or patient laborers at every facility
- 5 maintained for the treatment and care of persons with Hansen's
- 6 disease shall be entitled, upon retirement after twenty years or
- 7 more service with the department of health, to a pension in an
- 8 amount which shall be equal to sixty-six and two-thirds per cent
- 9 of the monthly wage or salary which the patient was receiving at
- 10 the time of retirement, or to a pension in an amount which shall
- 11 be equal to sixty-six and two-thirds per cent of the average
- 12 monthly wage or salary which the patient employee was receiving
- 13 during the last twelve months of employment at the department of
- 14 health, whichever is higher. For the period from July 1, 2007,
- 15 to June 30, 2008, the pension amounts shall be adjusted as
- 16 follows:



| 1 | (1) | Retired patient employees receiving less than \$4,000 |
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| 2 | | annually shall be granted a five per cent increase; |
| 3 | (2) | Retired patient employees receiving \$4,000 or more but |
| 4 | | less than \$5,000 annually shall be granted a four per |
| 5 | | cent increase; and |
| 6 | <u>(3)</u> | Retired patient employees receiving \$5,000 or more |
| 7 | | annually shall be granted a 2.5 per cent increase. |
| 8 | For the period from July 1, 2008, to June 30, 2009, all retired | |
| 9 | patient en | mployees shall be granted a 2.5 per cent increase. |
| 10 | Thereafter, the pension amounts shall remain as adjusted | |
| 11 | effective | for the period ending June 30, 2009. |
| 12 | <u>(b)</u> | Patient employees may use service with any state |
| 13 | department or agency not exceeding five years which has not been | |
| 14 | credited under the state retirement system in lieu of service | |
| 15 | with a facility maintained for the treatment and care of persons | |
| 16 | with Hansen's disease to satisfy the requirements of [the | |
| 17 | preceding paragraph; subsection (a); provided that the service | |
| 18 | shall be authenticated by official records of the department | |
| 19 | where service was performed. | |
| 20 | <u>(c)</u> | When work is available at Kalaupapa which may be |
| 21 | fulfilled | by patient residents of the facility under section |
| 22 | 326-21 and | there are no applicants for those positions from |
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- 1 among the eligible patients, pensioned patients who are in
- 2 residence at Kalaupapa may be reemployed, not to exceed nineteen
- 3 hours per week, without relinquishing the pension granted to
- 4 them under this section. Furthermore, notwithstanding any other
- 5 law relating to this subject, that reemployment shall not result
- 6 in suspension or termination of payment of the pension granted
- 7 originally or serve to increase, decrease, or alter the pension
- 8 in any way."
- 9 SECTION 2. In the event a retired patient employee has
- 10 died after July 1, 2007, and before the payment of the pension
- 11 adjustment provided for in this Act, the amount of the increase
- 12 owed to that person from July 1, 2007, until the date of death
- 13 shall be paid to the person's estate.
- 14 SECTION 3. Statutory material to be repealed is bracketed
- 15 and stricken. New statutory material is underscored.
- 16 SECTION 4. This Act shall take effect upon its approval
- 17 and shall be retroactive to July 1, 2007.

APPROVED this 30 day of APH , 2008

GOVERNOR OF THE STATE OF HAWAI