



GOV. MSG. NO. 1136

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

April 20, 2012

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

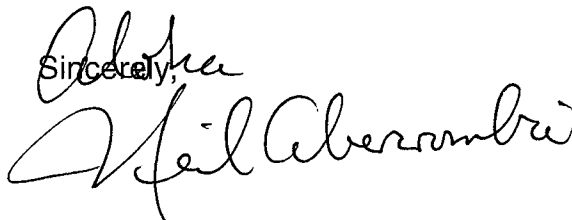
Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 20, 2012, the following bill was signed into law:

HB2439 HD1

RELATING TO EMPLOYER-UNION HEALTH  
BENEFITS TRUST FUND.

**Act 036 (12)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor

on APR 20 2012

HOUSE OF REPRESENTATIVES  
TWENTY-SIXTH LEGISLATURE, 2012  
STATE OF HAWAII

ACT 036

H.B. NO. 2439  
H.D. 1

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# A BILL FOR AN ACT

RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.

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

1 SECTION 1. Section 87A-1, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted  
4 and to read:

5 "Credited service" means service as an officer or employee  
6 paid by the State or county, service during the period of leave  
7 of absence or exchange if the individual is paid by the State or  
8 county during the leave of absence or exchange, and service  
9 during the period of unpaid leave of absence or exchange if the  
10 individual is engaged in the performance of a governmental  
11 function or if the unpaid leave of absence is an approved leave  
12 of absence for professional improvement."

13 2. By amending the definitions of "employee" and "part-  
14 time, temporary, and seasonal or casual employee" to read:

15 "Employee" means an employee or officer of the State,  
16 county, or legislature,

17 (1) Including:

18 (A) An elective officer;

HB2439 HD1 HMS 2012-2469



- 1           ~~[(B)]~~ ~~A per diem employee;~~
- 2           ~~[(C)]~~ (B) An officer or employee under an authorized
- 3                   leave of absence;
- 4           ~~[(D)]~~ (C) An employee of the Hawaii national guard
- 5                   although paid from federal funds;
- 6           ~~[(E)]~~ (D) A retired member of the employees'
- 7                   retirement system; the county pension system; or
- 8                   the police, firefighters, or bandsmen pension
- 9                   system of the State or county;
- 10          ~~[(F)]~~ (E) A salaried and full-time member of a board,
- 11                   commission, or agency appointed by the governor
- 12                   or the mayor of a county; and
- 13          ~~[(G)]~~ (F) A person employed by contract for a period
- 14                   not exceeding one year, where the director of
- 15                   human resources development, personnel services,
- 16                   or civil service has certified that the service
- 17                   is essential or needed in the public interest and
- 18                   that, because of circumstances surrounding its
- 19                   fulfillment, personnel to perform the service
- 20                   cannot be obtained through normal civil service
- 21                   recruitment procedures,

22           (2) But excluding:

1 (A) A designated beneficiary of a retired member of  
 2 the employees' retirement system; the county  
 3 pension system; or the police, firefighters, or  
 4 bandsmen pension system of the State or county;

5 (B) Except as allowed under paragraph [~~(1)(G)~~]  
 6 (1)(F), a person employed temporarily on a fee or  
 7 contract basis; and

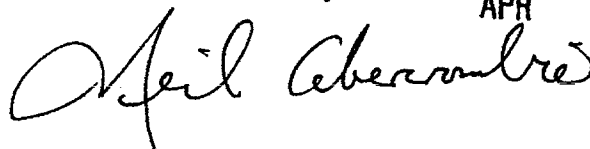
8 (C) A part-time, temporary, and seasonal or casual  
 9 employee.

10 "Part-time, temporary, and seasonal or casual employee"  
 11 means a person employed for fewer than three months [~~and~~] or  
 12 whose employment is less than one-half of a full-time equivalent  
 13 position."

14 SECTION 2. Statutory material to be repealed is bracketed  
 15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 20 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII

