
A BILL FOR AN ACT

RELATING TO HAWAII NATIONAL GUARD RETIREMENT BENEFITS.

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

1 SECTION 1. The legislature finds that not only is climate
2 change real, but it is the overriding challenge of the
3 twenty-first century and one of the priority issues of the
4 legislature. Climate change poses immediate and long-term
5 threats to the State's economy, sustainability, security, and
6 way of life.

7 The legislature recognizes that the fourth national climate
8 assessment, released in November 2018 by the United States
9 global change research program, analyzed the effects of climate
10 change on the environment, economy, and human health, and
11 reported the trends in global change with projected major trends
12 for the coming decade through the end of the twenty-first
13 century. Chapter 27 of the assessment describes climate-related
14 risks for Hawaii and the United States-affiliated Pacific
15 Islands and increased hazards ranging from increased storm
16 frequency, episodic flooding, increased precipitation, drought,
17 and wildfire.



1 The legislature further finds that the Hawaii National
2 Guard's state active duty activation rates have increased along
3 with the increase of local hazards relating to Hawaii's changing
4 climate. In 2017, United States General Joseph L. Lengyel,
5 Chief of the National Guard Bureau and member of the Joint
6 Chiefs of Staff acknowledged that America's climate is changing,
7 and hazardous storms are "becoming bigger, larger, and more
8 violent." General Lengyel acknowledged that the national guard
9 serves as "the military domestic response force."

10 The legislature also finds that the Hawaii national guard
11 was activated multiple times to provide disaster response under
12 the emergency proclamation for Kauai flooding in 2018 and the
13 lava emergency proclamation in 2018 and was extended multiple
14 times through supplemental emergency proclamations. These state
15 active duty activations led Hawaii national guard members to
16 serve for as long as six months of continuous service.

17 The legislature additionally finds that states including
18 Alabama, California, Michigan, and Texas have expanded
19 retirement benefits for national guard members who have been
20 activated by their respective state governor through state
21 active duty orders.



1 The purpose of this Act is to require the board of trustees
2 of the employees' retirement system to conduct a study and
3 recommend state retirement benefits for Hawaii national guard
4 members who are activated under state active duty orders and
5 Hawaii national guard members who are retired.

6 SECTION 2. (a) The board of trustees of the employees'
7 retirement system shall conduct a study to determine and provide
8 retirement benefits for Hawaii national guard members who are
9 activated under state active duty orders and Hawaii national
10 guard members who are retired.

11 (b) The study shall, at minimum:

12 (1) Review and summarize retirement benefits policies and
13 programs provided by other states for national guard
14 members activated under state active duty orders and
15 national guard members who are retired;

16 (2) Examine the impacts of providing retirement benefits
17 for Hawaii national guard members on the unfunded
18 liabilities of the employees' retirement system;

19 (3) Examine the differences between full-time and part-
20 time beneficiaries of the employees' retirement
21 system, and intermittent employees, in relation to the



1 provision of state retirement benefits to these
2 employees;

3 (4) Recommend a program with policies to provide Hawaii
4 national guard members with retirement benefits for
5 any future activations under state active duty orders
6 and retroactive retirement benefits from the events
7 related to the emergency proclamations in 2018;
8 provided that the board of trustees of the employees'
9 retirement system finds that such a program is viable
10 and feasible; and

11 (5) Identify and recommend any potential legislation that
12 is necessary to provide retirement benefits to Hawaii
13 national guard members activated by state active duty
14 orders and Hawaii national guard members who are
15 retired.

16 (c) The board of trustees of the employees' retirement
17 system shall submit a report to the legislature detailing the
18 findings and recommendations of the study, including any
19 proposed legislation, no later than twenty days prior to the
20 convening of the regular session of 2022.



1 SECTION 3. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2021-2022 for
4 the study and report required pursuant to section 2 of this Act.

5 The sum appropriated shall be expended by the board of
6 trustees of the employees' retirement system for the purposes of
7 this Act.

8 SECTION 4. This Act shall take effect on July 1, 2021.

9

INTRODUCED BY: 

JAN 27 2021



H.B. NO. 1292

Report Title:

ERS Board of Trustees; Study; National Guard; Appropriation

Description:

Requires the board of trustees of the employees' retirement system to conduct a study to determine and provide retirement benefits for Hawaii national guard members who are activated under state active duty orders and Hawaii national guard members who are retired, and submit findings and recommendations to the legislature prior to the regular session of 2022. Appropriates funds.

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