

JAN 18 2008

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# A BILL FOR AN ACT

RELATING TO PUBLIC EMPLOYEES.

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

1           SECTION 1. The purpose of this Act is to allow the state  
2 and counties to rehire retired employees as permanent workers in  
3 critical-to-fill positions or positions vacant due to a labor  
4 shortage without the retirees incurring any negative impact to  
5 their normal retirement benefits.

6           SECTION 2. Chapter 88, Hawaii Revised Statutes, is amended  
7 by adding a new section to be appropriately designated and to  
8 read as follows:

9           "§88- Reemployment of state and county retirees. (a)  
10 Hiring authorities in the state and county governments may  
11 employ a retired state or county employee who is receiving  
12 retirement benefits under this chapter in critical-to-fill  
13 positions or positions that are vacant due to a labor shortage.  
14 A retiree subject to this section shall be recruited and  
15 selected for civil service positions under the requirements of  
16 chapter 76. The hiring authorities shall certify that the  
17 retiree was hired pursuant to the requirements of chapter 76.



1        (b) To qualify for full-time employment under this  
2 section, the retiree shall be retired from a state or county  
3 government position for at least one calendar year prior to  
4 reemployment.

5        (c) Notwithstanding any law to the contrary, a retired  
6 state or county employee who is hired by the State or any county  
7 under this section shall:

8        (1) Not earn retirement service credit, contribute to the  
9 retirement system, or gain additional retirement  
10 benefits as a result of the retiree's subsequent  
11 employment with the State or any county; and

12        (2) Continue to receive the normal retirement benefits  
13 that the retiree is entitled to receive under this  
14 chapter or chapter 87A or 87D;

15 provided that the retired state or county employee may  
16 elect to earn retirement service credit, contribute to the  
17 retirement system, gain additional retirement benefits, or  
18 relinquish their retirement benefits pursuant to  
19 subsection (d).

20        (d) This section shall not preclude a retired state or  
21 county employee from returning to work and relinquishing the  
22 retiree's retirement benefits to earn additional service credit,



1 contribute to the retirement system, and gain additional  
2 retirement benefits for a future retirement date as may be  
3 allowed under this chapter.

4 (e) For purposes of this section:

5 "Retired state or county employee" means any former  
6 employee of the State or any political subdivision of the State  
7 that is defined as a retirant under this chapter.

8 "State or county government" means the State or any  
9 political subdivision of the State."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect on July 1, 2008.

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INTRODUCED BY: *Alonso Mercado K.*



**Report Title:**

Honolulu Police Department Package; Public Employees

**Description:**

Authorizes the State and counties to rehire retired employees as permanent workers, without the retirees incurring any negative impact to their normal retirement benefits.

