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## A BILL FOR AN ACT

RELATING TO THE HEALTH TRUST FUND.

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

1           SECTION 1. The purpose of this Act is to repeal the  
2 provisions making the following eligible for health benefits  
3 under the Hawaii employer-union health benefits trust fund:

- 4           (1) Per diem employees of the State or a county; and  
5           (2) Contractors with the State or a county.

6           SECTION 2. Section 87A-1, Hawaii Revised Statutes, is  
7 amended by amending the definition of "employee" to read as  
8 follows:

9           ""Employee" means an employee or officer of the State,  
10 county, or legislature,

11           (1) Including:

12                   (A) An elective officer;

13                   [~~(B)~~ ~~A per diem employee;~~]

14                   [~~(C)~~] (B) An officer or employee under an authorized  
15 leave of absence;

16                   [~~(D)~~] (C) An employee of the Hawaii national guard  
17 although paid from federal funds;



1           [~~(E)~~] (D) A retired member of the employees'  
2                           retirement system; the county pension system; or  
3                           the police, firefighters, or bandsmen pension  
4                           system of the State or county; and

5           [~~(F)~~] (E) A salaried and full-time member of a board,  
6                           commission, or agency appointed by the governor  
7                           or the mayor of a county; [and

8           ~~(G) A person employed by contract for a period not~~  
9                           ~~exceeding one year, where the director of human~~  
10                          ~~resources development, personnel services, or~~  
11                          ~~civil service has certified that the service is~~  
12                          ~~essential or needed in the public interest and~~  
13                          ~~that, because of circumstances surrounding its~~  
14                          ~~fulfillment, personnel to perform the service~~  
15                          ~~cannot be obtained through normal civil service~~  
16                          ~~recruitment procedures,]~~

17           (2) But excluding:

18                   (A) A designated beneficiary of a retired member of  
19                           the employees' retirement system; the county  
20                           pension system; or the police, firefighters, or  
21                           bandsmen pension system of the State or county;



1           (B) ~~[Except as allowed under paragraph (1)(G), a]~~ A  
 2           person employed temporarily on a fee or contract  
 3           basis; and

4           (C) A part-time, temporary, ~~[and]~~ seasonal ~~[or]~~,  
 5           casual, or per diem employee."

6           SECTION 3. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8           SECTION 4. This Act shall take effect on July 1, 2009 and  
 9 shall be repealed on June 30, 2015; provided that section 87A-1,  
 10 Hawaii Revised Statutes, shall be reenacted in the form in which  
 11 it existed on the day prior to the effective date of this Act.

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INTRODUCED BY:

Calvin M. Day  
 JAN 28 2009



**Report Title:**

Hawaii Employer-Union Health Benefits Trust Fund; Contractor,  
Per Diem Employee Ineligibility

**Description:**

Repeals provisions making a per diem employee of and contractor  
with the State or a county eligible for health fund benefits.

